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Lawson fears 'recipe for folly'

Hurd leads Tory onslaught on EC's meddling

By Robin Oakley, Political Editor, and George Brock in Brussels

MINISTERS yesterday turned up the volume of rhetoric on European union as the government came under a barrage of advice about its negotiations in the run-up to the Maastricht summit.

The foreign secretary attacked the European Commission for seeking to penetrate the "nooks and crannies" of British life; the trade secretary pledged that Britain would sign no treaties unless the terms were to its advantage; and Downing Street said that although Britain wanted to sign, time was running short for sorting out the considerable problems on political union.

Two former ministers also weighed in. Nigel Lawson, the former Chancellor, backed the signing of a treaty on economic and monetary union, but described a single European currency as a recipe for folly, strife and the rise of National Front style nationalism. That view was endorsed by Norman Tebbit, the former Conservative chairman.

At the CBI conference, John Banham, the director-general,

urged the prime minister: "If the price is too high, don't sign. If it's a bad deal, walk away." He also said the government should resist any attempt to force an extension of qualified majority voting on social issues.

Mr Banham was reassured by Peter Lilley, the trade secretary, who scorned the EC Social Charter as a form of harassment, and told the conference: "If the deal on offer this time is not right for Britain and for Europe we won't sign. We won't be panicked by those who use misleading analogies about missing the train. This train cannot leave the station unless we're on board."

Mr Lilley also developed what many CBI delegates took to be a direct personal attack on Jacques Delors, the European Commission president, when he denounced "Delorsian economics" as "flashy, expensive and fundamentally fraudulent". The trade secretary was actually attacking the government support for the failed DeLorean car company, but he clearly intended to evoke M Delors.

The commission president yesterday clashed with Douglas Hurd over whether Britain really wanted monetary and political union. Mr Hurd told fellow EC foreign ministers that British people distinguished increased co-operation between EC states from extending the power of the community's central institutions, and he criticised the commission's "apparent wish to exert itself into the nooks and crannies of everyday life".

M Delors had tried hard to grip the problem of commission officials dreaming up regulations where none was needed, but conflict was always likely where there was no clear definition of the boundary between national and community power, and Eurocrats would still fall into the temptation of abusing their powers.

M Delors admitted that the commission made mistakes, but added that governments did too, citing the British ambassador who walked out of the 1957 Treaty of Rome negotiations. The ambassador

told the EC's six founding states that they would not agree; that if they did agree, the community would not work; and that if it did work at all, it would end in disaster.

The clash came during a discussion on political union during which Mr Hurd said it would be "extremely risky" to establish EC control over political asylum. He added that immigration policy should be based on national backgrounds, saying: "We cannot harmonise history." The government was not prepared to put at risk a domestic immigration policy that had removed all fertile ground in Britain for extreme racial prejudice.

Fears of extreme nationalism were also expressed by Mr Lawson in the *London Evening Standard*. He said a common currency would breach the principles that a government should be democratically elected and able to carry out the wishes of the people. If nations were denied their identity then the "ugliest manifestations of nationalism" were likely to come to the fore. "Nothing could be better calculated to encourage the growth of M Le Pen's Front National in France and its unpleasant counterparts elsewhere in the Community than the creation of full monetary and political union."

Mr Lawson nevertheless added: Continued on page 22, col 6

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£50,000 libel award to actor Bill Roache

By Ray Clancy

ALL said and done, the actor Bill Roache was entitled last night to feel smug, self-satisfied and even boring about his libel victory. But there were tears as well as smiles as the Coronation Street actor emerged from the High Court.

The smiles began when the jury in a packed court 13 decided that Mr Roache, aged 59, had been libelled in an article in *The Sun* a year ago claiming that he was hated by the cast, boring and had almost been sacked several times.

Mr Roache, known to millions as Ken Barlow, convinced the jurors that he had been deeply hurt by the article and was awarded £50,000

against the newspaper, its editor Kelvin MacKenzie and freelance journalist Ken Irwin.

But the tears streamed down his wife Sara's face when the couple had to endure 15 minutes of legal argument to discover if Mr Roache's gamble in refusing a pre-trial settlement of £50,000 last month had paid off. Mr Roache, of Wilmslow, Cheshire, reached for his wife's hand to comfort her as the legal argument went on.

David Eady, QC, for *The Sun*, said that because the sum

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Haunted by dull loser, page 3

Captain Marvel bids farewell to England

By Stuart Jones
Football Correspondent

CAPTAIN Marvel has hung up his cloak and his boots. Bryan Robson, for a decade the inspirational leader of England's football team, has accepted defeat for the first time in his international career. Never again, the 34-year-old midfielder confirmed yesterday, will he represent his country.

Age has beaten the player who has displaced the bones that he has not broken and who has torn the muscles that he has not pulled. Ever since he broke a leg three times as a teenager he has epitomised defiance.

Hence the sobriquet given to him by Bobby Robson, the manager who appointed him captain in Greece nine years ago. He held the honour 62 times and not until last month's European championship qualifying

tie against Turkey was he demoted. His performance that night, though no worse than others in a poor display, persuaded him he no longer merited a place in the side. He wanted to retire then, but Alex Ferguson, his manager at Manchester United, persuaded him to defer the decision.

He agreed to wait, to see if he was retained for next week's decisive game in Poland, but his analysis was shared by Graham Taylor. England must do without him.

In a career that has tottered on the edge of glory without ever achieving it, he has left himself ten appearances short of his most cherished ambition. But for injury he would have joined the centuries — Billy Wright, Bobby Charlton and Bobby Moore, and perhaps even surpassed Peter Shilton's record of 126 caps.

In Mexico, in 1986, he left during the first round of the World Cup with a dislocated shoulder. He then broke his nose, swallowed his tongue, broke a shin and had a hernia operation, before taking England to the European championship in 1988. Even Olga Siringello, a faith healer, could not help during the last World Cup. She was summoned to Sardinia to repair an Achilles tendon, but the treatment failed. Robson flew home and was cured, but only after a scalp had twice scraped away the damage.

Taylor, in his first public statement as national manager, insisted that the midfield burden could not be carried by Robson. His belief was soon defied: within four games he was back once more. But only temporarily. Robson admitted to Taylor that he felt he had not done himself justice in

his last couple of appearances. Gary Lineker, his successor as England's captain, expressed his regret. "I'm very sorry to see him go. He was probably the best player of the eighties and I feel sure that he will go on to prove with Manchester United what an inspiring player he still is."

Robson scored 26 goals, the sixth highest in England's history and a record unlikely to be equalled by a midfielder player. Before he ends his club career, there are two accolades he covets, both within his reach. Twenty-five years after United last won the League title, he wants to lead them to the end of the empty sequence. Should he do so, he would almost certainly be footballer of the year — fitting reward for Captain Marvel.

England's gamble, page 44



Song of triumph: Mrs Marcos greeting supporters with a love song in her native Waray dialect, supported in a Manila hotel by her son Bong Bong

Thousands mark return of the Iron Butterfly

The people cheered, she cried — and Imelda Marcos was back home in Manila to 'show her people with love' after six years' exile in the United States. Joanna Pitman reports

Immaculately coiffured and in a snappy white suit, Imelda Marcos yesterday made the return to Manila that she had dreamed of for years. She shed copious tears, she waved, she beamed, she cheered and proclaimed her desire to "show her people with love" as Filipinos in their thousands turned out to greet her.

Before touching down in her homeland she had left little to the imagination of the Italian movie-maker who accompanied her, even straightening the hair of her late husband Ferdinand as she leant over his coffin in Hawaii as the heist of the American public relations company that planned the homecoming to the last detail. But the game-plan could well be disrupted tomorrow, when Mrs Marcos faces the first of 70 civil and criminal cases.

Waiting impatiently for her in the Plaza Hotel that she had built overlooking Manila bay were dozens of former cabinet ministers, former mayors, lawyers and the notorious enforcers of Philippine martial law in the 1970s, the hard-core power holders of the Marcos regime who were ousted and charged with corruption and tax evasion after she and her husband fled in 1986. As the Iron Butterfly settled once more among her own, they saw their long-cherished dreams come true in a glorious and emotional welcome after almost six years of exile in the United States.

The dramas and tensions of the long-awaited return of Manila's most extravagant widow had been building for months. Only last week Mrs Marcos had made telephone calls to her close friends to "make sure there would be a few people to meet her". As

she stepped from the aircraft yesterday she was mobbed by tens of thousands of well-wishers who had been sitting waiting for hours, some for days.

Crowds of poor, grimy, sandal-clad Filipinos, many of whom had spent a day's wages travelling to Manila, enthusiastically waved mass-produced "we love Imelda" banners, and alternately screamed, wept and sang out their support. Such a rousing welcome for a woman they had ousted only six years earlier in a "people's power revolution" served as eloquent testimony to growing disillusion with President Corazon Aquino's government.

But if the people's reception was more a vote of disapproval for Mrs Aquino than a vote of confidence in Mrs Marcos, the latter was determined to interpret it as a "miraculous moment of welcome", and a signal for her to "seek justice for the Filipino people".

Security guards, revolvers in their waistbands, scurried around the cramped hotel Continued on page 22, col 2

Leading article, page 17



Aquino: disillusion with her government

Bush and Arafat agree on a 'promising start'

From Christopher Walker in Madrid and Martin Fletcher in Washington

THE first session of the Middle East peace conference ended yesterday with President Bush and Yasser Arafat, chairman of the Palestine Liberation Organisation — who rarely see eye-to-eye — agreeing that the Arab-Israeli talks had made a promising start.

All sides pledged to continue the direct negotiations between Israelis and Arabs, at a location still to be decided. Intensive American and Soviet diplomacy is under way to find a workable compromise location between Madrid, demanded by Syria, and the Middle East, sought by Israel. One suggestion is that the bilateral talks might take place in Washington, followed by the third stage of multilateral regional talks in Moscow.

After a first-hand report from James Baker, the Secretary of State, Mr Bush said that although further disruptions were to be expected and there was a long way to go, "hopes are bright" for the future of the negotiations.

"The talks are progressing well. These meetings have broken new ground, in effect establishing a new baseline for considering Middle East problems," he said on Air Force One as he flew to the opening of Ronald Reagan's presidential library near Los Angeles.

Mr Baker arrived from Madrid at 3am and boarded the presidential aircraft less than four hours later. "There's a sense of engagement now that bodes well for the future," he said. "We're encouraged that the talks took place at all. They were businesslike and carried off in a constructive atmosphere. No-one walked out in the conference or the bilaterals."

Mr Arafat, interviewed from Tunis, said the talks had opened in a "very positive way".

The Syrians and Israelis, however, remain at odds. The Madrid deliberations ended with Syrian anger at the establishment of a new Jewish settlement on the Golan Heights. Ariel Sharon, Israel's hardline

housing minister, described the settlement as "a barrier to war" rather than an obstacle to peace. But only hours before, Israeli and Syrian delegations — meeting for the first time in decades — had clashed over whether the heights should be handed back in exchange for a peace treaty.

The two delegations talked for five hours. Despite deep disagreements over "land for peace" and the conference venue, they agreed that the face-to-face negotiations between enemies who fought four wars would continue.

"Our delegation will continue to look forward to resuming the bilateral talks," Farouk al-Sharaa, Syria's foreign minister, said before leaving to report to President Assad in Damascus. "We are waiting for the co-sponsors to suggest the next venue."

Asked about reports that Israel's prime minister, Yitzhak Shamir, was pressing for talks to resume as soon as

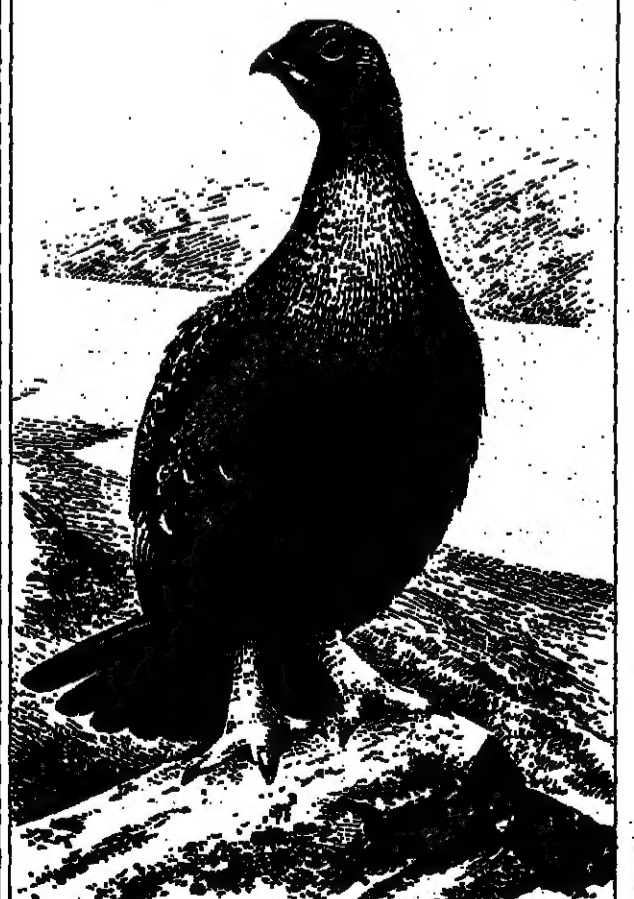
possible, he dismissed them as "a joke". But the chief of the Israeli team negotiating with Syria, Yossi Ben-Ahron, declared: "We have to register the fact with some satisfaction that the two sides of 43 years were meeting face to face."

Before returning to Israel, Benjamin Netanyahu, deputy foreign minister and chief spokesman, claimed that a bridge of dialogue had been built in Madrid. He predicted that the bilateral talks would resume within a month, while Hanan Ashrawi, the Palestinian spokeswoman, predicted a delay of two to three weeks.

The warmer atmosphere between Israel and the Jordanian and Palestinian delegates in Madrid improved further when the Israeli delegation agreed to an American request to allow complete freedom of movement in the occupied territory to all members of the Palestinian negotiating team.

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RAISED IN THE HIGHLANDS



THE FAMOUS GROUSE
FINEST SCOTCH WHISKY
QUALITY IN AN EXCHANGE

TODAY IN THE TIMES

DOCK BRIEF



Rumpole has returned (sponsored by a well-known port) to our screens. But how realistic is he? Would a lawyer really plead a case with the who must be obeyed? In today's Law Times Julian Malins, QC, argues the point
Page 35

ROLE MODEL



Chanel is the look of 1991, according to *Vogue*, which has awarded the title Dress of the Year to Karl Lagerfeld's stretch denim skirt ensemble
Page 15

PLAYING GODOT



An all-woman *Waiting for Godot*? Samuel Beckett would turn in his grave — or so his trustees believed. But the estates of great writers and artists can be over-protective. Simon Hattenstone argues today
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سكوتلاندا

Bank criticised by coroner after death of couple in debt

By PETER DAVENPORT

A CORONER yesterday criticised a High Street bank after hearing how an elderly couple were found shot dead as they faced crippling debts and spiralling interest rates as plans for their retirement home went drastically wrong.

Charles and Ada Stones saw an original loan of £25,000 with the Midland Bank soar to £50,000 in two years. They had planned to sell their original home, which had become too large as their family moved away, to finance the building of a bungalow but the depression in the housing market meant they could not find a buyer and the bridging loan they had taken out to build their new home could not be paid off, the coroner was told.

In two years they were able to make only three payments, totalling £5,500. They increased their borrowing by £5,000 sums to meet unexpected building and living costs to such an extent they owed £46,931 by last December. The bank responded with letters imposing penal rates of interest, 6 per cent over base on anything the couple owed over £47,900 and then a warning that if the debt went above £49,200, the threat of interest charges of 33.4 per cent.

The Stones drained their building society and bank savings accounts to pay interest charges but were unable to sell their original home, valued at £95,000, or the bungalow, valued at £80,000. At the resumed inquest

yesterday Peter Gladwin, the Humberside Coroner, said although the Midland had not been directly responsible for the Stones' death in February, its lack of personal contact with the Stones and the tone of standard letters from the bank would have done little to allay their fear that they stood to lose their home.

"One of the matters that does concern me is that only once during a banker/customer relationship extending over two years did the bank and Mr Stones have a face-to-face meeting. There were telephone conversations, there were written requests for meetings from the bank, but Mr Stones never made any appointments."

In recording a verdict of unlawful killing on Mrs Stones, aged 70 and suicide on her husband, a retired farmer aged 68, Mr Gladwin said: "Mr and Mrs Stones were indeed tragic victims of the current recession."

The inquest was told that Mr Stones, of Crowle, South Humberside, had a history of depression and anxiety going back to 1970. By the time of their deaths, the coroner was told, the couple owed £62,000 to the bank and on various credit cards. They faced interest payments on the bank loan of £2,100 every three months.

Robert Weston, Midland Bank's enterprise manager, told the inquest earlier that the loan to the Stones had been extended on a number of occasions but by last December the limit had been frozen. Additional penalties were added to the portion of the debt that exceeded the loan limit. He told the coroner: "The bank's patience was wearing a little thin as I am sure you will appreciate."

The Midland said last night: "We very much regret any customer who finds themselves a victim of the recession, as the coroner said, and we always try to be as sympathetic as possible." Asked about the criticism of the bank not seeking more meetings, the spokesman said that was an option also open to Mr Stones.



Street scene: William Roache leaving the High Court yesterday with his wife Sara after his libel victory

Haunted by the dull loser through the looking glass

THERE were embarrassed titers all round when William Roache was prompted to correct counsel for *The Sun* after having twice been addressed as his screen character Ken Barlow.

It was just one incident when fact and fiction blurred in court. It was a distinction Mr Roache was determined to prove, but even he failed when the character he has played for 31 years crept in to play a role in a real drama. Mr Roache, giving evidence, slipped into his screen persona, telling the jury of his anger when he confronted the man who had seduced his wife Deirdre. "No, I'm sorry," he said, realising what he had done. "That was what Ken Barlow did, not me."

Indeed, the character he plays in *Coronation Street* has had experiences so diverse that they could have been invented only to meet the demands of a life por-

Bill Barlow - sorry, Ken Roache - teeters between fact and fiction, reports Lin Jenkins

trayed in prime time viewing slots. He started life as the rebellious elder son of a Post Office supervisor. His brains gave him a degree in English and history, and the chance to escape the Street. But the script writers had other ideas, and Ken stayed, as teacher, failed businessman, local newspaper editor and back to teacher.

He had none of the luck of ordinary men. His mother died early under the wheels of a bus. Another crash deprived him of his brother David, and his first wife

Valerie was despatched by a faulty hairdrier plug. The suicide of his second wife, Janet, came only after the couple had divorced. Wife number three, Deirdre, entered into an affair with local "wide boy" Mike Baldwin and Ken with a council employee.

Mr Roache, however, has experienced fewer tribulations. The son of a doctor from Ilkeston, Derbyshire, he went into acting on leaving the Royal Welch Fusiliers where he made captain. His first marriage to actress Anna Cropper, by whom he has two grown up children, ended in divorce. He married his second wife Sara, aged 42, in 1978, and the couple faced their own tragedy when in 1984 their daughter Edwina died aged 18 months. They have a daughter Verity, aged ten, and son William, aged five.

£50,000 award, page 1

Pressure is on for swift reform

By FRANCES GIBBS, LEGAL AFFAIRS CORRESPONDENT

THE £50,000 award to the actor William Roache yesterday - the latest in a long line of large libel awards - will put the Lord Chancellor, Lord Mackay, under renewed pressure for a swift reform of libel laws.

He is considering a package of radical reforms that could pave the way for settling many cases out of court, with lower awards of damages.

The reforms, put forward by a committee under Lord Justice Neill, the Court of Appeal judge, include the idea of a new "offer of amends" defence which would give newspapers, journalists and others the chance to admit they had made a mistake. A judge alone would then award damages which would be expected to be much less than now. A plaintiff could prevent a defendant taking such steps if he took on the

burden of proving that the defendant had published the defamatory statement knowing it to be false.

There is pressure for reform not only from newspapers but from people who cannot afford the libel courts. Lord Justice Neill's committee floated the idea of an arbitration scheme to settle small libel cases out of court, with power to award damages of up to perhaps £1,000. The Law Society and the Bar have expressed interest in the idea.

Large libel awards in recent years include: 1987: Jeffrey Archer awarded £500,000 against the *Daily Star*; 1988: Koo Stark awarded £300,000 against *The People*; 1989: Lord Aldington awarded £1.5 million against Count Nikolai Tolstoy and Nigel Watts. 1991: Teresa Gorman MP awarded £150,000 against Anthony Mudd.

French fishermen protest at imports

By MICHAEL HORNSEY, AGRICULTURE CORRESPONDENT

FRENCH trawlermen, angered by new curbs on fishing in the North Sea, have joined militant French farmers in their disruption of food imports. The trawlermen erected barricades of burning tyres and empty fish crates in Boulogne during Sunday night and early yesterday morning, preventing 50 lorries from Britain and The Netherlands from unloading their fish.

The fishermen lifted the blockade after meeting French fisheries officials later yesterday, but gave no undertaking to stop further action.

In Rouen, 150 trawlermen from Dieppe were reported to have ambushed a Danish lorry carrying 15 tonnes of fish and distributed the contents to passing motorists. They also dumped piles of rotting mackerel outside government offices and those of opposition politicians.

Sandy Anderson, a lighthouse contractor from Dalmeilington, Strathclyde, said: "Two of our lorries were caught in the blockade at one point and the atmosphere was quite menacing because of the fires. We advised our lads to sit tight in their cabs, which they did. There were no attacks on the lorries."

George Foulkes, the shadow foreign affairs spokesman, who represents the Scottish fishing constituency of Carrick, Cumnock and Doon Valley, called on John Gummer, the agriculture minister, to lodge a strong protest with the French. But a spokesman for Mr Gummer said he did not think that was appropriate yet.

The French trawlermen began their protest last week by blocking the harbours at Boulogne and Dieppe, disrupting ferry services from Britain for several days. Their anger is directed chiefly at regulations adopted by EC fisheries that will increase the minimum mesh size of nets from next June, allowing more juvenile fish to escape.

France failed to get an exemption for its fishermen in the southern part of the North Sea in spite of claims that their catch of saithe and whiting, which are smaller than cod, would drop to uneconomic levels if they were forced to use the larger mesh size.

Richard Banks, chief executive of the National Federation of Fishermen's Organisations, said: "These conservation measures will hit us all, not just the French. There would have been absolutely no justification for granting them a special deal. The southern North Sea is a crucial spawning area for cod and allowing the French to continue using the smaller mesh size would have been disastrous."

Britain to resist EC control of fraud law

By PHILIP WEBSTER, CHIEF POLITICAL CORRESPONDENT

PROPOSALS seen by the government as the first attempt by the European Community to extend its jurisdiction into the criminal law, will be strongly resisted today.

In a move that has surprised ministers, the Dutch presidency of the EC is seeking to reach agreement before the Maastricht summit on a plan to extend the competence of the European Commission to cover the law on fraud. John Patten, the Home Office minister of state, is today holding talks with his Dutch counterpart Hirsch Ballen, in advance of next Wednesday's meeting of the EC council of justice ministers in Brussels.

He will tell Mr Ballen that any move towards harmonising fraud laws and penalties across the EC would be unacceptable to Britain.

The government is anxious to promote as much cooperation as possible between EC countries over the tackling of international fraud, drug trafficking and other criminal offences. It believes, however, that the criminal law has been tailored to the circumstances in individual countries and is opposed to the commission or the European Court of Justice having jurisdiction in those areas. Ministers point to the widely differing penalties across the EC for serious offences such as rape.

Ministers have been taken aback by the timing of the Dutch move so close to the crucial December summit on political union. One said they had "jumped the gun".

Orkney children's official resigns over 'harassment'

By KERRY GILL

A LEADING official on the children's panel on Orkney announced her resignation yesterday, claiming that she had been forced into the decision by threats and harassment.

The resignation of Katherine Kemp after 14 years as the panel's reporter - an independent official with social work experience - comes

seven months after she was reinstated by Ian Lang, the Scottish secretary, following her suspension by the council last year. Mrs Kemp said she had decided to go because Orkney council officials had made it impossible for her to remain in the job.

During Mrs Kemp's 13-month suspension, nine children from four South Ronald-

say families were taken from their homes in February after allegations of ritual abuse. Her post at the time had been taken by Gordon Sloan, a reporter from Strathclyde region. In April, the children were returned home after Sheriff David Kelbie said procedures carried out by the panel and Mr Sloan had been so fatally flawed as to be incompetent.

Mr Sloan later appealed to the Court of Session against the judgment and, in June, the court upheld his appeal. The three judges said the sheriff had been wrong in law to have proceeded with the case so early in the proceedings.

Mrs Kemp, as reporter to the children's panel, which looks after the interests of children who require help or supervision, is not accountable to the council and can be dismissed only by the Scottish secretary.

She has had a difficult relationship with her employers over the past two years. After being reinstated, she and her husband were at the centre of another dispute in August when files from her office disappeared.

She said last night that she had received threatening letters from council officials, telling her that she would have to do the job their way, or her employment would have to be reconsidered. The tone of letters, she said, had amounted to harassment.

Mother's jail plea adjourned

SUZANNAH Jackson, the former personal assistant to the designer Linda Clerach, must wait until Friday to know if she has to serve nine months in jail for theft, after her appeal against sentence was adjourned yesterday. She will also seek leave to appeal against conviction.

She is on bail after being jailed for 18 months, with nine months suspended, for stealing clothes and cheques worth £25,000 from Miss Clerach's company, Sheila Davies, her counsel, asked Lord Justice Taylor, sitting with Mr Justice Gagehouse and Mr Justice Auld, for the adjournment to allow appeals against conviction and sentence to be heard together.



Appeal delay: Jackson, who returns to court on Friday

Recession forces millions to forgo a holiday

By HARVEY ELLIOTT, TRAVEL CORRESPONDENT

LITTLE more than half the adult population took a holiday last year as the recession forced millions to stay at home and batten down the financial hatches.

For those whose income, or job, was assured, the lure of a break away proved irresistible with one in ten managing to get away three times or more during the year, according to the consumer research group Mintel. The regular holiday-makers helped to boost the number of breaks taken either at home or abroad to 91.9 million last year, a figure which

Mintel predicts will fall to 88 million this year. Once the recession has ended, however, it expects this to grow strongly with more people choosing foreign trips to such favourites as Spain, France, the United States, Greece and Germany with a more modest growth in holidays in Britain.

The research will delight the travel industry which is predicting a cautious 5 per cent improvement to 10.5 million in the number of package holidays taken abroad next year. The cautious optimism felt by tour operators and travel agents is already being tempered by fears that an early

election could stifle demand during the peak spring booking period.

John Dunscombe, president of the Association of British Travel Agents (Abta), said: "The travel industry is going to come out of this recession better than most other industries. All the indications are that people now regard a holiday as an essential rather than as a luxury."

"We predict that next year will restore the industry to the levels of 1990 but it is unlikely that the boom years of 1988 and 1989, when holidays were being sold at rock bottom prices, will ever be repeated." Many within the industry still

believe that demand will be far greater than that forecast by Abta but agree that the timing of the election could be crucial, leading them to book only enough airline seats and hotel beds to meet the 5 per cent growth forecast.

"When an election is called bookings dry up immediately," Mr Dunscombe said. "As far as we are concerned, therefore, the later it is the better. If it comes in March that could affect us badly and while we would ideally like it to have come in November we are now hoping that it is delayed until the very last moment."

Good Essex men rejected

By JAMIE DETTMER

ESSEX Men, the brash, working-class, made-good product of the Thatcher years, is not, apparently, someone defence lawyers care for. Living in Romford would seem to debar you from serving on a jury.

Essex jokes began to circulate in London's Central Criminal Court yesterday

after a panel of jurors was rejected because nine came from Romford. A barrister defending an alleged rapist from Battersea, southwest London, claimed it would be unfair to his client if he were to be tried by nine people, all from the same Essex town. He objected to the jurors under section five of the 1974 Juries Act. In fairness, he did not

suggest that there was anything wrong with Romford men, just that there were too many of them for one jury.

However, Essex men does not give in easily. A second panel was rejected because seven came from Ilford, but at last a panel was selected. The few on it from Romford were diluted by others from elsewhere.

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Changes in charity funding and management

Support needed for helping hands

JOHN Major will today outline government policy in the charity sector for the Nineties. His speech will be made in a climate where many charities are facing a drop in donations, some cutting back on staff and projects.

The prime minister will address representatives from more than 700 charities at their annual conference in Westminster. Michael Brophy, executive director of the Charities Aid Foundation, the conference organiser, called for an end to "the rhetoric of the Eighties" and concrete goals for what remains of the Nineties.

Mr Major will address government plans to introduce a new charities bill, which will be the first major legislation in this area since

the 1960 Charities Act. The bill is likely to implement the recommendations of the 1989 Home Office white paper, *Charities: A Framework for the Future*. This reviewed malpractice in fund-raising and recommended increased powers for the Charity Commission.

The foundation will next week disclose its 14th annual charity trends, which are expected to show the income for many of the top 400 charities to be either static or down. A survey earlier this year by the foundation showed a sharp decrease in public generosity, and this is believed to be taking effect in charity budgets.

The Spastics Society has announced a 1991 loss of £4 million, in spite of a slight increase in donations and

With donations falling, charities are awaiting a new government strategy, writes Ruth Gledhill

legacies. The society has forecast a reduced deficit of £1.2 million to the end of March next year but 85 jobs have gone, resulting in 41 redundancies.

Oxfam, one of the better performers, attributed its record income of £69 million to the generous public response to the catalogue of world emergencies and disasters. The net income from Oxfam shops fell slightly, resulting in a plea for an increase in regular giving

beyond special disaster appeals. The NSPCC, one of the 12 largest charities, announced job cuts earlier this summer to reduce a £3 million operating deficit.

There are more than 170,000 registered charities raising an estimated £17 billion a year. A growing number rely on fund-raising rather than endowments and many are involved in business activities to raise money.

During the past year the Windsor group of charities, Britain's top 30, has been planning a campaign to raise levels of giving. Organisers of today's conference hope also to produce an action plan to increase donations and to outline steps to improve charity management.

Alec Reed, chief executive

of Reed Executive and founder of Reed Charity, said: "The management of charities is improving, but is often short on qualified business managers, since many charities fail to recognise that skilled management is essential to their future survival. They have no profit motive and concrete goals are often impossible to set."

He blamed the environment within which charities operate for the fund-raising problem. "Donors are not always sufficiently informed to donate money where and when it is most needed, and the government blindly sends the benefits of tax relief wherever the donor chooses - even if it is the local budgetary home which has more money than it knows what to do with."

CHRIS HARRIS

Millions expected in wills windfall

CHARITIES could benefit by millions of pounds from last week's Make a Will week, the Law Society campaign which has already attracted thousands of enquiries (writes Ruth Gledhill).

The Royal London Society for the Blind, which is running a £45,000 will-making advertising campaign in the national press, to coincide with the week, estimates that it will receive legacies worth £750,000.

Peter Driver, marketing director, said that he estimated that 1 per cent of those who enquired would make a legacy in favour of the society, which receives 28 per cent of its £1.5 million income in legacies.

The Law Society, whose research disclosed that seven out of ten people could die intestate, worked closely with charities during the campaign. Legacies to the top 400 charities amounted to £379 million last year, which is a third of voluntary donations, according to figures compiled by the Charities Aid Foundation.

Some of Britain's most successful charities rely heavily on money left in wills. Last year, the NSPCC received a fifth of its income from legacies. It has published a leaflet, aimed at solicitors, and a free guide to making a will. The Royal British Legion has offered similar guides.

The RSPCA, which receives nearly two thirds of its annual donations as legacies, is planning a legacy recruitment campaign, to be launched early next year.

A Gallup poll for the Law Society found that 69 per cent of adults and nearly half of homeowners had not made a will. Asked which charities they felt most deserved to be left money, nearly half those questioned named Cancer Research.

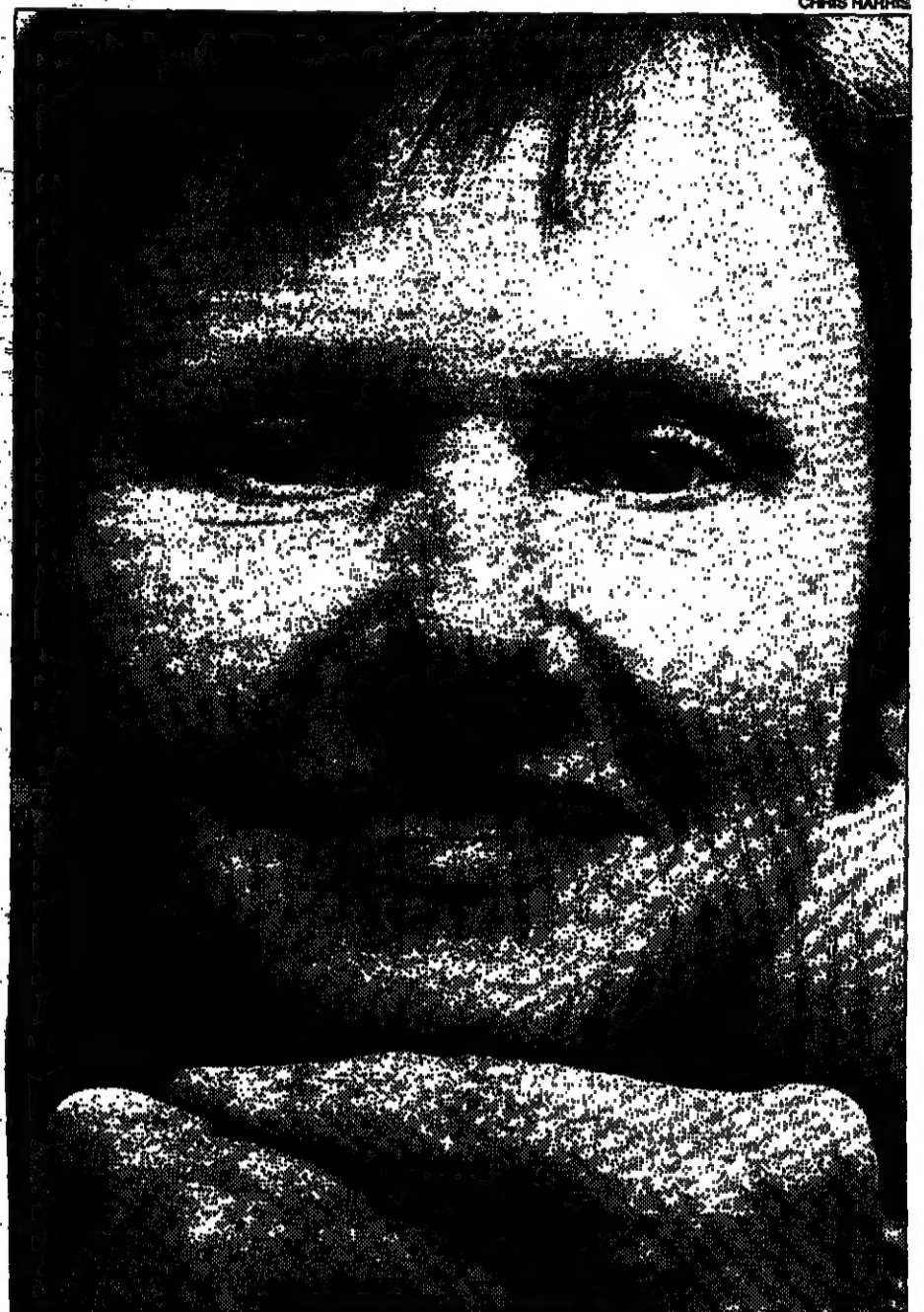
New head puts her faith in charity

ELIZABETH Shaw, the new secretary and executive director of the Charity Commission, has welcomed government plans to increase the commissioners' powers. "I welcome making the commission a more effective instrument. I am looking forward to being part of that," said Mrs Shaw, aged 45, whose job will be similar to that of chief executive to a public corporation.

Since the 1987 Woodfield report, a scrutiny of the supervision of charities, the commission has tackled the areas of concern which did not require legislation, such as computerisation. "This is an exciting period," Mrs Shaw said. "They have been reforming the commission for some years."

She will work as executive to the board of five charity commissioners, who include one woman, Dame Yed. The job has been upgraded to grade four, with a salary in the mid-£40,000s. Mrs Shaw will help to manage the commission's 560 staff and, with other senior managers, will be responsible for implementing the wishes of the commissioners. She said: "I am interested in building on my management experience, and also in doing management in an organisation I believe is doing something worthwhile."

Mrs Shaw's career is an example of inspired civil service talent spotting. She left school for teacher training college with three A-levels, but decided against teaching and joined the civil service as an executive officer after a year. She worked in the Home Office and Foreign Office until the rules for joining the fast stream



Looking ahead: Elizabeth Shaw, executive director of the Charity Commission

were changed to allow internal candidates to apply.

Her successful application to the Social Security Office in 1971 led to a career which covered topics including abortion and family planning, cyclical deprivation, alcohol abuse and homelessness, internal management, Aids prevention, mental handicap and drug abuse. She helped to set up the National Aids Trust and to

provide funding for Alcohol Concern. Three years ago she moved to the civil service college at Sunningdale, where for the past four months she has been the acting chief executive.

Mrs Shaw, who took between six months and a year's maternity leave for each of her three children, is also a talented singer and a theatre-goer. David Forrest, who has been secretary to the

commissioners for nine years, is leaving to pursue business interests in Australia.

The commission supervises 171,000 charities and last year removed a record 749 from its register as a result of a census and investigations. This number is expected to increase as the census continues. More than 4,000 new charities joined the register last year.

£10m campaign aims to cut carbon dioxide level

By CHRISTOPHER WARMAN, PROPERTY CORRESPONDENT

A £10 MILLION energy efficiency publicity campaign was launched by the government yesterday to try to persuade the public to save enough energy to cut carbon dioxide emissions by 20 per cent.

The three-year campaign was sent on its way by Michael Heseltine, environment secretary, and John Wakeham, energy secretary, who last month launched a similar scheme aimed at business. The campaign, with the slogan "Helping the Earth begins at home", will use leaflets and advertising on radio, television and in newspapers to urge people to switch off unnecessary lights, install efficient central heating, insulate lofts and save power.

The programme was at once criticised by Labour and the Liberal Democrats.

Labour's energy spokesman Frank Dobson accused the government of neglecting energy saving, not promoting it. He said that the government had abandoned insulation schemes inherited from the Labour government, had refused to oblige the privatised electricity companies to promote energy saving and had increased energy consumption by government departments.

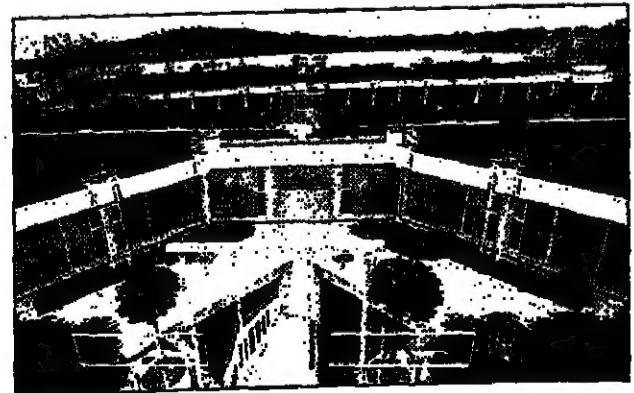
Mr Heseltine, introducing the campaign at the Natural History Museum in London, said that most people did not always realise the link between electricity use and greenhouse

gases, but once it was pointed out they took action.

Britain's office blocks and factories could soon generate cheap electricity from sunlight to run air-conditioning units, lights and lifts while selling surplus power into the national grid (Nick Nuttall

writes). The vision follows the announcement yesterday by Colin Moynihan, the energy minister, of £150,000 of funding to investigate the potential of solar cells as wall and roof cladding.

Exercise in facility, page 16



Typing pool: leisure centre headquarters for RMC

Offices splash out

By MARCUS BINNEY, ARCHITECTURE CORRESPONDENT

THE first thing you notice in Ready Mixed Concrete's new headquarters at Egham, Surrey, is an indoor swimming pool, overlooking a lake. Next to catch your attention are a pair of squash courts, brightly lit and glass walled.

The last thing you'll see is a filing cabinet - that was one of the requirements in the

company's brief to Edward Cullinan Architects, whose building has won the *Financial Times* Architecture at Work award.

The offices are hidden beneath what is claimed to be one of the largest roof gardens ever created, with topiary and pavilions, and air vents disguised as giant chessmen.

Jones the officious to learn politeness

By TIM JONES

IN THE mean streets of Machynlleth, or Blaenau Ffestiniog, up in the mountain country of Bible-belt Wales, life can be tough for the visitor who drifts into town and allows his car to outstay its welcome while he takes his children to the cwlusterau cyhoeddus.

Jones the parking has heard it all before and does not really want to know that after a three-hour journey from Birmingham the kids were just bursting to use the public lavatory. For him, a man has got to do what a man has got to do; and the parking ticket is dispensed with the time-honoured offhand, detached manner.

All this, however, could soon change, for Jones the parking. Williams the taxi and Jenkins the railway porter are to be encouraged as part of a scheme to entice more people to visit the principality.

Once employers have sent them and other people concerned with tourism on a £25 one-day course, the Wales Tourist Board hopes that the traffic wardens will exercise natural charm when they dish out the fine. The course will show people how to use the right body language when dealing with customers and will even encourage them to smile when answering telephone enquiries, on the basis that personality carries down the wires.

Jonathan Jones, marketing director of the Wales Tourist Board, said that a big difficulty with trying to encourage more people, particularly the English, to visit the beautiful land was the perception that the Welsh are unfriendly. It was, he said, as natural for Welsh people in a Caernarfon pub to be speaking the old tongue as it was for the French to speak their own language in a Paris bistro. "Tales of them switching language to talk about you are apocryphal."

Mr Jones does not accept the welcome in Wales is any less friendly than elsewhere. But he believes that if the welcome were a little bit warmer than in other regions of Britain then the £1.4 billion tourist industry could become much bigger.

One ghost the tourist board would like to bury is that of Richard Llewellyn, who wrote *How Green Was My Valley*, a dramatic tale of Welsh miners overcoming awful adversity in their blighted environment. Mr Jones said: "I don't blame the public service broadcasting station in America from showing it so often because it was a marvellous film. But with the coal and slag heaps long gone, it sets us back every time it is screened."

People completing the courses, based on a successful scheme in British Columbia, will be entitled to wear a badge which says "Cyball croeso" - "Welcome friend".



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Labour aims at denting Tory reputation on economy

Smith seeks £2bn extra support to aid industry

By NICHOLAS WOOD, POLITICAL CORRESPONDENT

LABOUR called yesterday for a £2 billion package of incentives and support to lift manufacturing industry out of the doldrums as the party intensified its attacks on the government's handling of the economy in the run-up to tomorrow's autumn statement.

John Smith, the shadow Chancellor, said that Conservative "hype" about the economy conflicted with the reality of a country still bumping along the bottom of a deep and damaging recession. He called for the tax write-off on manufacturing investment to be increased from 25 per cent

to 40 per cent, tax credits for new technology, a vigorous regional policy, a bigger commitment to education and training and a revitalised programme of council house building.

Mr Smith said that the training component would cost £900 million and the cost of the overall package could be covered by the £2 billion that could be raised by more efficient collection of taxes.

Mr Smith was joined by frontbenchers Gordon Brown, Margaret Beckett and Tony Blair at a press conference in London, launching a new month-long economic offensive against the backdrop of preparations by Norman Lamont, the Chancellor, to unveil a £6.5 billion increase over planned spending next year.

The latest assault is aimed at making further inroads into the Conservative reputation for economic competence. A Mori poll at the end of September gave the Tories a 17 per cent lead on the economy. However, after the Labour conference, an NOP survey put the two parties neck and neck on this key issue.

Mr Smith said that the key question about the planned increases was whether the government could sustain them year after year in the light of its poor record on growth and the prime minister's promises of more tax cuts. On BBC Radio 4's *The World at One*, he accused ministers of perpetrating a confidence trick by promising tax cuts and higher spending.

The shadow Chancellor also indicated that a Labour government would trump any spending increases Mr Lamont might unveil for health and education. He said that they had been so badly neglected that they probably needed more spent on them than the government appeared to be proposing.

The Labour spokesman contested the Chancellor's claim that the economy was on the road to recovery. Industrial production, exports and imports and manufacturing investment were still falling; house prices, mortgage lending and retail sales were flat; credit demand was weak and bankruptcies and house repossessions were mounting to record levels.

Mr Blair said that Britain had the fastest rising unemployment in the Western world and denounced the "sheer madness" of past cuts of £1.5 billion in employment and training.

Mrs Beckett said that the country was at the bottom of the European growth league. Mr Brown contrasted falling investment in Britain with increases in Germany, Spain and Japan. He said that manufacturing investment had fallen by 19 per cent in a year.



Beckett: UK at bottom of European growth league

Rebel laird of Dinnet hopes to narrow the margin of defeat

The Lib Dems still seem to be ahead in the Deeside two-horse race, reports Kerry Gill, though not as far in the lead as they think

WITH just two days of campaigning to go in the Kincardine and Deeside by-election, Marcus Humphrey, laird of Dinnet and Tory hopeful, could be forgiven for spending a few moments preparing excuses for Friday morning's press conference. Opinion polls in the constituency have consistently predicted defeat for the Conservative party on Thursday and a win for the Liberal Democrats.

The defeat may be narrower than the Lib Dems would have liked. A survey by Scotpoll yesterday showed them with 30.5 per cent against the Tories' 27 per cent. Scotpoll, a small company, proved to be surprisingly accurate in the two previous by-elections in Scotland. The Scottish National Party stood yesterday at 23 per cent and Labour at 17.5 per cent.

In what is certain to be a two-horse race, the Lib Dem and Tory camps reacted to the poll of 1,011 voters differently: the Conservatives relieved that they should still be close to a possible victory, the Lib

Dems irked that their lead had been cut. Another poll on Sunday had given them a 13-point lead and, indeed, three other polls yesterday all showed the Lib Dems with a convincing lead.

If, as is expected, Nicol Stephen, the Lib Dem candidate, wins the seat, the Tories will be reduced to nine MPs in Scotland, placing them in third place. Paddy Ashdown's party will become the second strongest parliamentary group, with ten constituencies.

A Conservative loss in such a prosperous seat, in the heart of northeast Scotland, would be disastrous, further damaging Tory morale and credibility and increasing the possibility that they would have grave difficulty in staffing the Scottish Office if they won the general election.

Mr Humphrey, a regional

councillor, is an old-style, landowning Tory and a former grand master mason in Scotland. Like his predecessor Alick Buchanan-Smith, he has rebelled against the government so often that his opponents have asked whether there is a Tory standing at all.

The campaign, said to be one of the duller in recent times, has concentrated almost exclusively on two local issues. One is the application by the Forth-estherhill hospital complex in Aberdeen to opt out of local health board control and the other is the government's planned merger of the Gordon Highlanders with the Queen's Own Highlanders.

After initially supporting the hospital proposal, Mr Humphrey now vigorously opposes the plan. He also stands firmly behind the campaign to save the Gor-

don. The supporters of the Gordons provided a spark of interest when they threatened to field their own candidate, but, at the eleventh hour, decided to withdraw after some heavy pressure from senior Tories who reminded them that their would-be candidate would almost certainly ensure a Tory defeat.

Nicol Stephen, another local councillor, is confident of victory. In a campaign which, from day one, was marked by each of the candidates appearing to be in agreement over every single local issue, Mr Stephen has relied on his own robust personality to project the Lib Dem cause.

General election: A. Buchanan-Smith (C), 19,438; N. Stephen (L/All), 17,375; J. Thomanec (Lab), 7,624; F. Duncan (SNP), 3,082; L. Perrie (Green), 299. C maj: 2,063. The candidates: M. Humphrey, N. Stephen, Malcolm Savidge (Lab), Allan Macarney (SNP), Stephen Campbell (Green).

By-election sketch, page 22

Antarctic survey to continue

By JOHN WINDER

AN assurance that the government is committed "now and for the foreseeable future" to continuing the role of HMS Endurance in the Antarctic was given by the Earl of Arisa, armed forces minister, in the House of Lords yesterday.

He said that the government had an option on the Polar Circle, the successor to HMS Endurance, to purchase or take a long-term charter on the new vessel.

The ship, at present on short charter, is to be commissioned this month into the Royal Navy at Portsmouth, where she is now lying, and for the time being will be known as HMS Polar Circle. If the option is exercised, the vessel may be renamed and the pressure for her to continue the name of her famed predecessor may then be successful.

The announcement was generally welcomed and Lord Shackleton (Lab) said that the decision bore the imprint of the enthusiasm of the Lords.

MPs may go to Vietnam

MPs MAY be able to visit Hong Kong and Vietnam to set how arrangements for illegal immigrants returned to Vietnam are working, Douglas Hurd, foreign secretary, said in a Commons written reply yesterday.

He said that the government would be discussing with the Vietnam government an extension of the scheme for compulsory return of new emigrants to include those who had arrived in Hong Kong before last Tuesday. More than 11,000 had returned voluntarily in the past two and a half years without a single substantiated case of persecution.

Howard stands firm on training pledge

By PETER MULLIGAN

MICHAEL Howard, employment secretary, sought last night to end claims that the government is underfunding youth training for the unemployed.

He told MPs during sharp exchanges in the resumed debate on the Queen's Speech that he has reached agreement on financing with 78 of the 82 training and enterprise councils.

In the face of a fierce Labour

attack, Mr Howard insisted that his guarantee of a youth training place for every 16 and 17-year-old who is neither in work nor in full-time education will be met. He dismissed as out of date letters of complaint from managers of the Tecs sent to the Commons employment select committee. Mr Howard said: "Officials in my department have been examining with every Tec in the country the position in relation to the youth training guarantee, what that Tec needs to deliver the guarantee, whether it needs extra resources to deliver that guarantee."

However, Ron Leighton, Labour chairman of the select committee, described the minister's statement that the letters were out of date as preposterous. Some were only two or three days old. He added: "Ministers stand up and say they are committed to the guarantee. But, of course, someone else has to deliver and when you speak to the people who are supposed to deliver, they say they are not doing it."

Mr Leighton called for a big increase in funding for the Tecs in the new public spending allocations after tomorrow's autumn statement. Otherwise, he said, there would be a collapse of morale.



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William Kennedy Smith trial

Jurors audition for courtroom stardom

LATE at night the television screen fills with a close-up of a blonde, chatting to an avuncular man with the polished demeanour of a chat-show host. The topic is Senator Edward Kennedy's fight out with William Kennedy Smith, his nephew. "I guess if Ted was drinking that will probably be too much," Theresa Poterek, the blonde, says with a smile and a shrug. Then the courtroom camera pulls back to show the judge's face.

Ms Poterek is one of dozens of Palm Beach citizens being questioned for a role on the jury that will decide the fate of the young Kennedy classmate accused of rape in Palm Beach. She is clearly keen for the part, as Rob Black, Mr Smith's defence lawyer, chats to her for an hour, seeking her views on everything from Kennedy jokes to Uncle Ted's alleged womanising.

Televised trials are old hat in America, but never has the choosing of a jury been broadcast in its entirety and been so elaborately stage managed. With its mix of Kennedy glamour, sex and wealth, the case is already conferring celebrity status on everyone involved, from Judge Mary Lupo and Moira Lasch, the prosecutor, to the members of the jury pool. Only three days into the jury marathon, and with the trial still a month away, Mr Black and his team have plotted their defence, which effectively will try to show Senator Kennedy as an unstable and upstanding nephew.

Against the prosecutor's objections, Mr Black introduces his client to each citizen as "Willie", not Mr Smith or "Willie", as he is known in the press. Mr Smith, a medical student aged 31, stands to greet each would-be juror with a modest smile.

Mr Black then presses the prospective jurors about their thoughts on the "lives and times of the Kennedy dynasty". "What is your impression of how Kennedy men treat women?" "Have you ever seen Kennedy men?"

Jury selection for the Kennedy trial is more television chat-show than legal procedure, Charles Bremner reports from New York

...or heard a Kennedy joke? "What kind of dirt did you read about Willie?" And each time he has asked: "Which Kennedy family member do you respect the least?" Almost without exception, they reply "Edward Kennedy."

Referring to accounts of the senator's behaviour at the family house early on Easter Saturday morning after Mr Smith was alleged to have attacked a local woman, David Thatcher, one would be juror, said: "He showed up without his pants on. I guess we all have our pants off

the bar examination of New York state. While Mr Black's object is to find six fair-minded people, his questions have amounted to a "televized stoning" of the senator, as the *New York Daily News* put it.

The pillorying of the senator has elicited a flood of reports of a schism, pitting Jean Smith, William Kennedy's mother and Senator Edward Kennedy's sister, against the rest of the clan. Mr Smith, who has now engaged Barbara Gamarekian as his personal spokeswoman, has announced that he is financing his battalion of lawyers, private detectives, public opinion pollsters, jury consultants and others all with his own inheritance. "I'm broke," he said on Saturday through Ms Gamarekian.

Experts put Mr Smith's likely costs at \$1 million (£575,000). The legal industry is enjoying rich pickings, representing not just the stars but such bit-players as Anne Mercer, the friend first telephoned by Mr Smith's accuser after her visit to the Kennedy house. Miss Mercer was paid \$25,000 for a television appearance.

All this show business and glamour will distort the course of justice, some experts say. Bruce Fein, a columnist for *Legal Times*, said potential jurors were craving fame.

Prosecution or defence witnesses could contrive good anecdotes for the sake of a role in the inevitable docudrama, and Judge Lupo may be tempted to play to the cameras. "An Emmy-winning performance might enable her to command stratospheric speaking fees," he said. He also predicted a possible political career for Ms Lasch if she turns in a prosecution tour de force.

Smith: a modest smile for each would-be juror

periodically... But I like our government officials to act a little more responsibly."

The candidate jurors, who have already faced written questions on such things as their "cheapest stickers and favourite programmes on television," have been pronouncing on the whole Kennedy dynasty, from the late Joseph senior's reputed Nazi sympathies and background in bootlegging to Edward's 1969 accident at Chappaquiddick and the recent struggle of John and Mary.



Out of Africa: a Belgian paratrooper, with his pet monkey, waits at Brazzaville's port after Belgium withdrew its troops from Kinshasa. The last Belgian paratroopers left the Zaire capital yesterday after a seven-week mission to evacuate foreigners, an armed forces spokesman said (Reuters)

reports from Brussels. The bulk of an 850-man force - sent to Zaire and neighbouring countries to co-ordinate the evacuation of thousands of Belgians and other Westerners - were expected to be flown home by yesterday evening. A small contingent is to stay in nearby Gabon to tidy up after the operation, Belgium's fourth military intervention in its former colony. Belgium decided last week to withdraw all its troops despite calls by some opposition leaders for them to stay to prevent further bloodshed after mutinous soldiers led waves of violence that began in September, killing hundreds.

the operation, Belgium's fourth military intervention in its former colony. Belgium decided last week to withdraw all its troops despite calls by some opposition leaders for them to stay to prevent further bloodshed after mutinous soldiers led waves of violence that began in September, killing hundreds.

South African strike claims 15 lives

FROM GAVIN BELL IN JOHANNESBURG

AT LEAST 15 people died and millions of pounds in production were lost yesterday when an estimated three million South African workers obeyed a call by the mainly black Congress of South African Trade Unions (Cosatu) to stage a general strike.

The immediate cause of the two-day protest is the introduction of value added tax to replace general sales tax. But, at heart, it is essentially a challenge to Pretoria's efforts to restructure the economy during the transition to a post-apartheid democracy.

The motive of the black labour movement and its political allies in the African National Congress and the

Pan-Africanist Congress is to force a moratorium on economic change. Thus it is part of a broader offensive to try to force Pretoria to cede power to the black majority.

After widespread reports of intimidation by union activists, at least 15 miners were killed and 43 were injured at a gold mine in the Orange Free State on the eve of the strike. Company officials said a group of workers had tried to prevent others from reporting for the night shift. A union spokesman, however, said the activists had been attacked when they returned from an anti-VAT rally.

In Cape Town, a woman was wounded when security

guards opened fire on demonstrators near a factory. In Johannesburg, police used dogs and batons to disperse a similar gathering when it began moving towards the city centre.

The strike paralysed commerce in the densely populated Transvaal around Pretoria and Johannesburg, but the response was sporadic and uneven elsewhere. Vehicle manufacturing was at a standstill, with lost revenue estimated at £30 million.

Jay Naidoo, the secretary-general of the trade union congress, acknowledges that there was more at stake than VAT. "Centrally, it has to do with the impact of VAT, but

the broader issue is that the government is planning to restructure the economy without including other major players, and we are protesting against that," Mr Naidoo said.

The government is taking a tough line against industrial unrest. Hennis Kriel, the minister of law and order, said: "This has nothing to do with VAT, it is about political power and about Cosatu not being part of the political process. You can't have trade unions operating in situations like the multiparty conference. You can't have trade unions with a political voice. Mr Naidoo should go back to looking after workers' interests."

Chinese welcome US visit

Peking - China has welcomed the visit later this month of James Baker, the US Secretary of State, in an attempt to thrash out "real problems" blocking good relations between the two countries (Catharine Sampson writes).

Mr Baker will be the highest ranking American visitor since the army crushed the democracy movement in June 1989. He will be emphasising the problems and seeking concessions on human rights, on missile sales to the Middle East, and on a whole range of trade issues.

Majority rule
Lusaka - With some votes still being counted in the Zambian presidential election, Frederick Chiluba's Movement for Multi-Party Democracy has won 116 seats in the 130-seat parliament compared with 25 for former President Kaunda's United National Independence Party. (Reuters)

Camp searched

Hong Kong - In an attempt to defuse tension over plans for forced repatriation, about 400 police officers and 200 police searched Hong Kong's largest camp holding Vietnamese boat people, seizing homemade weapons and rounding up suspects in connection with last week's brawls in which a man was murdered. (Reuters)

Muggers to die

Peking - A central Chinese court has sentenced two peasants to death for mugging three British tourists last June. The two followed the tourists up Mount Nanyue, grabbed one and stole her handbag, containing more than £1,000. China imposes especially heavy penalties for crimes against foreigners. (AFP)

Navy visit

Wellington - After his visit to Britain, Jim Bolger, the New Zealand prime minister, says a British warship may visit the country, marking another step in ending its isolation from international defence agreements since 1985, when it refused to allow nuclear armed or powered ships to enter its ports. (Reuters)

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Walesa tries to form government

Church leads Polish lurch to the right

From ROGER BOYES IN WARSAW

POLAND seemed set yesterday for a lurch to the right as passionately nationalist party leaders consulted with President Walesa about the formation of a government wedded to "Christian values".

The largest party — with 62 out of 460 seats — after the first free elections eight days ago is the Democratic Union led by former Solidarity leader Tadeusz Mazowiecki and Jacek Kuron. But Mr Mazowiecki has been unable so far to form a coalition. The second largest group — with 60 seats — is the former Communist party whose leaders are due to see Mr Walesa today, but they, too, are effectively isolated.

The choice is being reduced to a government of non-political experts — perhaps, led by President Walesa himself — or a coalition of right-wing parties who share common views on respect for the president, suspicion of the "shock therapy" economic reform and adherence to the Catholic

Church. But the church shares some blame for the nationalist demons that have been unbottled since the elections. A fierce fire engulfed a Soviet army officers' house in the centre of Legnica at the weekend and arson has not been ruled out. The Israeli ambassador to Poland has been moved to write an open letter about anti-semitic incidents.

The Catholic Church publicly intervened on behalf of pro-Catholic parties which are now forming a coalition and, in urging believers to vote this way, had even resorted to populist slogans. One bishop had told his flock that "Catholics should vote for Catholics, Jews for Jews, and communists for communists".

The Catholic Action Group — which won 49 seats — supports jail sentences for gynaecologists performing abortion, a commitment to Christian values by all state institutions including television and a greater church role in the school curriculum. The com-

promises required in forming a coalition may, however, water down some of the more dramatic postures of the Catholic Action politicians. Both the Catholic Action Group and the ultra-nationalist Confederation for an Independent Poland agreed yesterday that they could work together in a government of "social confidence".

The priority of parliament, said the confederation, would be to draft a new constitution, to replace the communist-era charter. The Centre Alliance, led by a former adviser to President Walesa, Jaroslaw Kaczynski, is ready to join in such a government and is negotiating with Peasant party activists in order to broaden the coalition.

President Walesa, though, is calling the shots. He wants to present a new government when parliament convenes on Poland's independence day on November 11. That is now the deadline for any agreement between the parties.



Uneasy bedfellows: Seleyman Demirel, leader of the True Path party which won a narrow but not outright victory in Turkey's general election on October 20, attending a Republic Day parade in Ankara, the capital, last week. The military has twice previously toppled him from power, once in 1971 and again in 1980.

President Ozal announced yesterday that he had asked Mr Demirel, an arch rival who has sworn to oust him if he can, to meet him on Thursday for talks about forming a government (Reuters reports). Mr Demirel,

who has boycotted the presidency since Mr Ozal took office in 1989, met other party leaders yesterday to ask if they would help him get rid of the president.

Meant Yilmaz, the outgoing prime minister, said after meeting Mr Demirel that there was no chance that his Motherland party would connive in plans to remove Mr Ozal, its founder, from office. "Motherland cannot be expected to support proposals that will add new problems to Turkey's already loaded agenda," Mr Yilmaz told a news conference.

Gorbachev warns Yeltsin of 'abyss'

From MARY DEJEVSKY IN MOSCOW

PRESIDENT Gorbachev told republic leaders yesterday that the union was on the brink of an abyss and warned Boris Yeltsin that no single republic, even his giant Russian Federation, could remedy the situation alone.

The Soviet leader was speaking a week after Mr Yeltsin had announced that he would lead Russia to economic reforms — if necessary, without the other republics. Addressing a meeting of the State Council, Mr Gorbachev said that the failure of the August coup had offered the hope that reforms could be launched and the disintegration of the Soviet Union prevented.

But "this has not happened. We have looked into the abyss." The impression was growing that "we have squandered the capital we gained after the coup. We are in a very critical situation."

The union could not be allowed to collapse, he said, and he renewed his appeal for a political agreement to underpin the economic treaty signed by eight of the republics.

In one of the few definite decisions to emerge, the State Council approved the dissolution of 80 central ministries and departments which had been announced provisionally last week. However, it postponed a decision about a new central administrative structure.

The State Council was set up as the Soviet Union's highest executive body on an interim basis. It comprises leaders of the remaining republics, plus Mr Gorbachev and key ministers. Yesterday's meeting was attended by leaders of ten republics, including the Ukraine and Georgia.

Ukraine takes over control of forces

From ROBERT SEELY IN KIEV

RECRUITING officially begins today in the Ukraine to build a 30,000 strong National Guard as the backbone of the republic's armed forces, independent of Soviet control.

The Ukrainian parliament yesterday also voted to "nationalise" its Soviet border guard divisions. The decision to transfer control of border guards, and therefore *de facto* control of current borders, is a step the Ukraine must take to stand a chance of achieving international recognition after its independence referendum on December 1.

Officials say 6,000 volunteers, mainly from the western Ukraine, have already offered to enlist in the National Guard. "The technical and equipment base will come from interior ministry supplies. Initial recruitment will be put at 10,000 men rising to 30,000 by April 1," said Volodymyr Korchuk, an interior ministry officer.

These decisions will put the Soviet army further at loggerheads with the Ukrainian defence ministry. The army has shown great unwillingness to be dismantled at the hands of republican governments eager to replace it with their own national armies.

Behind the Ukrainian justifications for placing military issues high on the political agenda is the fear that their republic will be prone to the upheavals which killed the last Ukrainian state after the collapse of tsarist Russia.

● Moscow: The Soviet navy will relocate its main Black Sea base, at Sevastopol on the southern Crimean peninsula, to the Krasnodar region because the Ukraine claims jurisdiction over the existing base, Tass reports. (AP)

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Squabbles greet the grand duke

From BRUCE CLARK IN ST PETERSBURG

GRAND Duke Vladimir Kirillovich, the gentle French-speaking septuagenarian who hopes one day to be Tsar of Russia, if not all the Russias, arrives here today in the empire of his ancestors. But far from basking in its imminent return to pre-Bolshevik glory, newly rechristened St Petersburg is gripped by squabbling as it prepares for this week's first celebration of "revolution day" since the failed coup of August 1991.

The festivities which the royal visitor is honouring with his presence are a brave attempt by the mayor, Anatoli Sobchak, to please as many as possible in a city divided and disgruntled as it braces itself for the toughest winter since the second world war.

Almost inevitably, the celebrations will strongly displease a good many of St Petersburg's five million residents — including the very people who most strongly yearn for the grand duke to reclaim the throne occupied by his direct ancestor, Tsar Aleksandr II.

The festivities, of November 7, once a standard Soviet ritual, have posed a dilemma for Mr Sobchak. It seemed impossible to ignore the day altogether, but also unthinkable, ten weeks after the Communist party's collapse and disgrace, to lay on anything that

would smack of Soviet bombast.

So November 7 will indeed be celebrated — but this time not in memory of communism's triumph but of one of its most humiliating defeats, the recent return of Leningrad to its historic name.

Awkwardly enough, the only institution in the city with any experience of organising festivals has been a bastion, at least until recently, of the Communist establishment: the cultural section of the city council. So the St Petersburg fireworks, rhapsodies, historical pageants and parades jumps will be staged by the very people who spent half a lifetime organising celebrations under the Communist regime.

Meanwhile the radical anti-Communists of the Democratic Russia movement, who campaigned to restore the city's tsarist name, are boycotting the celebrations. They argue that November 7 should be marked only to mourn the victims of Bolshevik rule.

The grand duke, a genial, conscientious and dedicated soul with little immediate experience of the harsh realities of post-Soviet politics, may well find all this bewildering. On the other hand, from his flat in Paris and the family home in Brittany, he has kept in close touch with the latest developments.

Republic rejects EC peace plan as Yugoslav army presses home attacks on Croatian towns

Vukovar is on brink of falling

From ANNE McELVON in ZAGREB

VUKOVAR, the east Croatian town that has been under siege by the federal army for 72 days, is on the verge of falling, according to reports from both sides in the conflict. The federal army was yesterday intensifying its assaults on several Croatian fronts at once.

Vukovar was bombarded and pounded by rockets for most of yesterday morning. In Zagreb, the Croatian capital, air raid sirens sounded as planes bombed Duga Resa, 25 miles to the south. Dubrovnik also again came under heavy assault from land and sea.

Tanjung, the Yugoslav news agency, reported the federal army command at Vukovar as saying that the final assault on the town was under way and

that there was fighting near the town centre. Milan Dedakovic, the commander of the Croatian forces in the town, has issued a plea to the government in Zagreb to send more troops and ammunition.

Speaking by telephone he said: "We are in a serious and unfortunate tactical situation. We must avoid encirclement at all costs by opening up a new front. But we don't have the men or the weapons."

He said that the army had concentrated 250 tanks on the outskirts of the town. Asked how close the town was to falling unless help arrived, he replied: "It is now a matter of hours, not days."

Eleven thousand adults and 2,000 children are trapped in the town without electricity or water and with food running short. The Croat commander claimed that the hospital, which has carried out operations underground on the wounded, is running short of anaesthetics.

"Zagreb has not done what it could and should have done to help Vukovar," Mr Dedakovic said. "Despite all the promises, we have been left alone with our problem here. Perhaps there is something mysterious in the offering which will not be acceptable to our fighters."

His comments are the first public admission of a rapidly widening rift between the National Guard command in the battlefield and the government of Franjo Tudjman in Zagreb. Soldiers, particularly those on the bloody fronts of eastern and central Croatia, feel that the government has for too long clung to the faint hope of gaining Western European recognition for Croatia by fighting too defensive a war.

The main beneficiary of this split is the ultra-nationalist Croatian Party of Rights, which aims and commands its own paramilitary wing, entitled HOS, separate from the National Guard. The party draws on many traditions of the fascist Ustasha during the war, venerating Ante Pavelic, its leader, and even employing its motto "Ready for the Homeland".

Increasingly, young fighters in the battle areas are turning to HOS rather than the guard, claiming that its forces are better armed (from private sources) and more efficient. The appeal of the movement's uncompromising nationalism grows as the war becomes more hopeless for Croatia and the Zagreb government grows daily less relevant to the course of events.



Sanctions on Serbia inevitable

By OUR FOREIGN STAFF

SERBIA's ruling party yesterday rejected the European Community's peace proposals to end the fighting in Croatia, the Belgrade-based Tanjung news agency said.

The decision was the strongest indication to date that Serbia would formally reject the EC plan at an all-party peace conference in The Hague today. The EC has given Serbia until today to sign its plan or face tough economic sanctions.

Hans van den Broek, the Dutch foreign minister, chairing a meeting of EC foreign ministers in Brussels yesterday, indicated that renewed army attacks had made sanctions against Serbia virtually certain. Lord Carington, the former British foreign secretary who is chairman of the EC's peace conference on Yugoslavia, yesterday also appeared pessimistic about prospects for peace.

He said in a radio interview: "I am going to see both the Croatian and Serbian ministers of defence and the chiefs of staff of the army and I am going to do what I can to bang their heads together - but it is, frankly, hard going."

Favourite wins Prix Goncourt

By PHILIP HOWARD, LITERARY EDITOR

PIERRE Combescot yesterday won the Prix Goncourt for *Les Filles du Calvaire* ("The Daughters of Calvary"), a rambling, picaresque tale of working-class Parisian life. The Goncourt is the best known of the French literary prizes, not least for the controversy that surrounds it concerning such matters as old publishers' networks.

Combescot is a journalist and opera critic as well as a



Combescot: tells a tale of working-class Paris

novelist. His book, set between a sleazy bar and a circus, features a gallery of colourful characters worthy of a 19th-century French epic. The novel was the punters' favourite on this year's shortlist of five, and was the first choice of six of the ten long-serving jurors. The winner receives only a token 50 francs (£5), but the prestige - and French intellectual snobbery

— guarantee sales of around 500,000 copies in the run-up to Christmas.

The Goncourt was established in 1903 under the will of Edmond de Goncourt to commemorate himself and his brother, Jules. Both were novelists, historians, gossip and art critics. The prize is awarded annually, preferably to a young writer, for the best prose work published in French. In practice the jurors tend to play safe with established names.

All but one of the books on this year's shortlist are published by the big three French fiction houses, Gallimard, Grasset, and Seuil. Combescot is published by Grasset, and already has two novels to his name, including one that was awarded the Prix Medicis in 1986. Most of the jurors work for or are themselves published by the big three. There is an unkind suspicion that they monopolise the Goncourt on a systematic Buggins's turn basis at the expense of smaller, more avant-garde publishers such as tend to feel hard done by, even outside France.

The announcement was made as usual at the Drouant restaurant, where the ten Goncourt Academy members meet to pick the winner. It is a traditional ritual that kicks off the season of French literary prizes. The runner-up was *En Douceur*, a sinister tale by Jean-Marie Laclavetine about a man who tries to understand why he murdered his wife.



Shell shock: three Dubrovnik men take shelter against a wall near the historic old city yesterday as an incoming artillery shell explodes during an exchange of fire between Croatian forces and the Yugoslav army

Amid the barrage a baby cries

From TIM JUDAH in DUBROVNIK

THE old city of Dubrovnik was a hostage to fortune yesterday as Croatian and Yugoslav army forces fought a fierce artillery and mortar duel over the roofs of the besieged port. Croatian units were firing on Yugoslav positions from locations a mere 150 yards from the ramparts of the old city, and Yugoslav troops replied with a deafening barrage lasting two hours.

The Croatian shells could be seen exploding on the bare rock around army positions overlooking the town on the Zarkovica promontory, and flashes from army artillery could be seen as they returned fire, hitting the Croatian positions and either forcing them to withdraw or knocking them out. It was impossible to tell who started the shooting.

The Adriatic port of Dubrovnik has been besieged by the Yugoslav army since the beginning of October and since then has been without running water, electricity or fresh food. While the old city has so far escaped virtually unscathed, it was only luck and accurate aim which yesterday prevented serious damage to the Baroque and Renaissance buildings of the town as the shells from both sides sailed over towers, churches and the town's massive ramparts with only yards to spare.

As artillery boomed around Medarovo, Dubrovnik's main hospital, the rumble echoed down ventilation shafts mixing in a terrifying cacophony with the cries of sick and newborn babies who are moved into the hospital's nuclear bomb shelter whenever shelling starts.

"Two of these had to come out of their incubators," said Dr Vera Vukovic, pointing at a neat row of five premature babies aged between one and 15 days, swaddled and snuffling quietly only an hour after being rushed down from the maternity ward. Sick infants included the quietest of newborns, one other baby and three small children. Before falling asleep Srdjan, aged five, lay stock-still and cried. His mother did not try to hide her fears at the sound of explosions.

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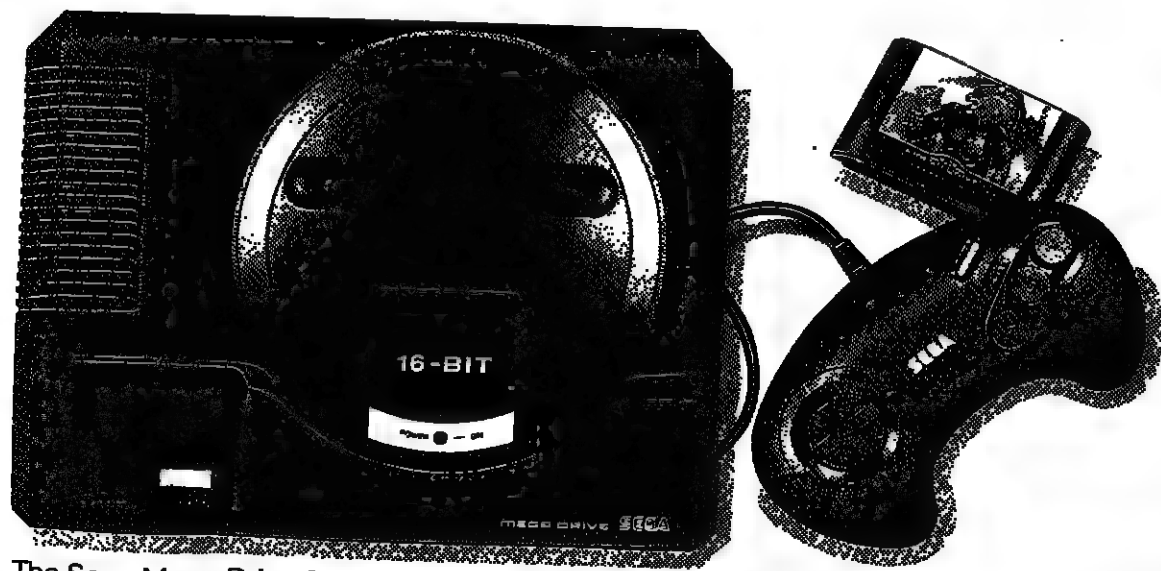
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CRISIS IN EASTERN EUROPE

AFTER MADRID: ISRAEL AND PALESTINIANS STEP INTO THE UNKNOWN IN QUEST FOR PEACE



On centre stage: key players in the Madrid talks, from left, Benjamin Netanyahu of Israel; the Palestinian spokeswoman Hanan Ashrawi; America's James Baker; and Muwaffaq al-Allaf and Farouk al-Sharara of Syria

Delegates hail new chapter in relations

FROM CHRISTOPHER WALKER IN MADRID

JORDANIANS and Palestinians, who on Sunday held their first official contacts with Israel since 1967, have agreed to continue direct communications to try to decide on a venue for bilateral talks on a permanent basis.

The decision was seen as widening the gap between the various Arab delegations at the Madrid conference. Syria, and its client state Lebanon, have insisted that further contacts with Israel under phase two of the Middle East peace process be made through American intermediaries.

The unexpectedly positive start to the negotiations between Israel and the joint Jordanian-Palestinian team was being touted as the main positive element to have emerged from the historic conference as many delegates

left for home yesterday. Among Arab diplomats, however, there were fears that the initial mild euphoria over maintaining contacts, despite Eliakim Rubinstein, the chief Israeli delegate's, pointed reference to his Arab counterparts as "my friends here", could quickly sour once substantive issues are reached.

Both sides have agreed that the early stage of the dialogue will concentrate on a limited self-rule plan for the Israeli-occupied West Bank and Gaza Strip, with a one-year deadline for an agreement. The self-rule experiment is envisaged as lasting five years, while the permanent status of the area — seized in 1967 — will form the

agenda of new negotiations to begin in three years. Sunday's talks, lasting four and a half hours, were a prelude to what Israel has promised will be Palestinian control of all aspects of life, except defence and foreign affairs, in the occupied territories.

But before detailed talks get under way, the Arabs are demanding a freeze on Jewish settlements. James Baker, the US Secretary of State, is working behind the scenes to enforce this in at least a limited fashion to coincide with an end to the Arab boycott of Israel. Although many in the West Bank and Gaza have expressed support for the Madrid process, concern remains about the extent of the autonomy on offer.

Arab diplomats said an early obstacle was likely to be Palestinian insistence that self-rule be applied also in Israeli-annexed east Jerusalem, which Israel refuses to put on the conference agenda. Arab demands that self-rule be extended to cover vital water resources and the control of land is also expected to meet stiff Israeli resistance.

Palestinian supporters of the self-rule scheme dismissed scathing by radical opponents as little more than symbolic "barbaric control", see it as a step on the road to creation of an independent state linked to Jordan where 60 per cent of the population is Palestinian. Although Israel had nominally agreed that the talks will take place under the terms of United Nations resolutions 242 and 338, it insists its obligation under these to return occupied Arab land for peace was completed once and for all when it returned the Sinai to Egypt in 1982.

The initial success of the Madrid conference has helped transform the international image of the Palestinian cause, severely damaged by the support given to Iraq during the Gulf war by Yasser Arafat, the leader of the Palestinian Liberation Organisation. In Madrid, the Palestinians quickly dropped previous demands for immediate statehood and showed a willingness to improve ties with Israel.

The attitude of the Palestinians was singled out for praise by Mr Baker during his closing news conference in Madrid. "A lot of what the Palestinian representatives had to say at the conference was well received in many places around the world," he said.

Promising start, page 1



Sharon snipes at Baker vision

FROM PAUL ADAMS IN QELA, GOLAN HEIGHTS

OCCUPIED TERRITORIES

LESS than 24 hours after James Baker, the American Secretary of State, persuaded the Syrians to attend bilateral talks with Israel in Madrid, his most determined opponent in Israel was challenging his land-for-peace formula.

Ariel Sharon, Yitzhak Shamir's hawkish housing minister, yesterday attended a dedication ceremony for a new settlement here, within short artillery range of Syrian territory. "This is not an obstacle to peace, only a barrier to war," he said.

Today Qela is a cluster of prefabricated boxes on a windswept stretch of the Golan Heights, surrounded by black volcanic debris. The bleak landscape is lent a haunting quality by the shattered remains of Syrian Druse villages, destroyed in Israel's capture of the Heights in 1967.

Soon, the settlers hope, Qela will be home to 400 families. The first 25 or so, immigrants from the Soviet Union, are already in place. "This is Zionism per excellence," said Dedi Goler, a settler from the regional council at nearby Qazrin.

Left-wing critics of the government's settlement policy condemned the settlement and the timing of the ceremony. "It's a clear provocation," Eran Hayet, of Peace Now, said. "We think this is the wrong message to send today."

Mr Sharon denied Qela was a provocation. "What can be provocative, when people want to live on the land and work the land?" he said. "A provocation is what the Syrian minister of foreign affairs did when he described Mr Shamir as a wanted terrorist."

Father figure witnesses birth of new optimism

By CHRISTOPHER WALKER

ANALYSIS

IT WAS, with all the ups and downs, a triumph for James Baker. After Madrid, the question of where, or even when, the Israelis will resume their new dialogue with the Arabs is not clear. But the fact the Middle East process has not broken down was being taken yesterday Monday as reason enough for optimism.

In the two- to three-week breathing space which will now ensue, the parties have time to settle on a permanent venue for the bilateral talks. One suggestion is the twin Israeli and Jordanian Red Sea resorts of Eilat and Aqaba. Should the contacts fail, Mr Baker is likely to make them all an offer to come to the United States.

Throughout, Mr Baker acted like a wise father trying to control children whose behaviour exasperated him more than he dared show. "He thought he had seen everything during eight months of shuttling. But some of the things that happened here he could not believe," said one American official.

It was Mr Baker who reminded the participants they must crawl before they could walk. The lesson of Madrid is that some have already shown greater aptitude than others, giving hope that the process may eventually solve part, but not the whole, of the 43-year-old Arab-Israeli conflict.

led by Benjamin Netanyahu. The conference witnessed the birth of a potential new leadership to replace the diaspora Palestinians personified by Yasser Arafat, head of the Palestine Liberation Organisation.

The success of the Palestinians was greatly helped by the maternal, no-nonsense approach of their spokeswoman, Hanan Ashrawi. It led to a joke that Israel's biggest mistake was to keep the PLO away.

Israeli craving for recognition stretched beyond the frequent and often rebuffed attempts at handshakes. It contrasted with the torpid performance of the Syrians, who withdrew into their shell of prejudice and were the only delegation to keep the door of their press office closed and often locked.

Away from the glare of the television lights, various Arab and Jewish delegates reported personal contacts which are vital if the spirit evinced by the late Anwar Sadat in 1977 is ever to be rekindled.

But the presence of Mr Shamir, the craggy former guerrilla fighter, was a physical embodiment of Israel's determination not to hand back land for peace. It was left to Mr Baker to pass judgment on prospects for the next stage.

"There cannot be any guarantees," Mr Baker reminded reporters, "this is the Middle East."

AMERICA: THE HOME FRONT

Public euphoria fades

FROM MARTIN FLETCHER IN WASHINGTON

THE Middle East peace process — like the Gulf war which spawned it — has so far proved yet another foreign policy success for the Bush administration. But at home, the public mood is one of deepening pessimism.

Three big surveys of the public mood over the past few days reveal profound disillusion with the country's political establishment and widespread anger at the mess people perceive the nation to be in. The national euphoria generated by the Gulf war victory has vanished, and Ronald Reagan would be hissed from the stage were he to claim today that it was "morning in America".

While President Bush's personal ratings ranged from 63 to 67 per cent, the polls also suggest he is far from invincible were a Democrat candidate to emerge — perhaps the eloquent Mario Cuomo of New York — who could exploit this widespread disaffection.

Most striking is the popular disgust with government. Shortly after President Kennedy's assassination in 1963, 78 per cent of Americans trusted Washington to do what was right. Today that figure is just 36 per cent, according to a Washington Post/ABC poll.

A Wall Street Journal/NBC poll showed 63 per cent thought politicians crooked, and this popular contempt has fuelled a rapidly-growing term-limits movement now supported by 75 per cent of Americans.

The same poll showed that, by 53 to 42 per cent, voters believed America to be in "a state of decline", a sharp reversal of previous figures and a striking result in the land of the American dream. Those who believed America was heading in the right direction have fallen from 65 to 25 per cent since the Gulf war ended, and a New York Times/CBS poll showed 60 per cent thought the country was "pretty seriously off on the wrong track", double January's figure, with 66 per cent considering the economy was in "pretty bad shape".

NEWS IN BRIEF

Iraq stops supplies to Kurds

Zakho — Iraq closed a key traffic checkpoint at Fayda, just outside Dahuk, in north of the country yesterday, preventing the movement of fuel, food and other goods to rebel Kurds in the run-up to winter.

United Nations and Western military sources reported that it had been closed to freight traffic travelling north. The move was one of a series apparently designed to isolate guerrilla-controlled areas. Relief workers believe it is aimed at pushing the Kurds to accept Baghdad's autonomy deal put forward in August.

Jim Reynolds, who heads the United Nations office in Zakho, says that the crunch will come if the blockade continues long enough to disrupt distribution of government food rations. (Reuters)

All shipshape

Dubai — Britain's naval presence in the Gulf is down to its pre-Gulf war levels, according to Captain Christopher Roddis, commander of the frigate HMS Sheffield, the senior officer in the Middle East. The other ships are Hermione, a frigate, the destroyer Birmingham and Bayleaf, a tanker. (AP)

Ex-king stabbed

Rome — Zahir Shah, aged 77, the former king of Afghanistan, is in hospital with light injuries after being stabbed at his villa in Rome, where he has lived in exile since being deposed in 1973 by General Mohammad Daoud, his cousin and brother-in-law. A man is believed to have been arrested. (AFP)

Peking claim

Peking — China has released more information about its nuclear co-operation programme with Iran to try to persuade American critics that its purpose is peaceful. A government statement said China provided Iran with an electromagnetic separator and a mini reactor for medical use, research and training. (AP)

Bridge reopens

Baghdad — Marked by the symbolic slaughter of lambs, Iraq has reopened a Baghdad bridge destroyed by allied bombing in the Gulf war. Officials declared the rebuilding, just eight months after the war and in the face of a United Nations trade blockade, to be a triumph over America and its allies. (Reuters)

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A British Red Cross Appeal

Keep open the routes to the past

Simon Hattenstone argues that the trustees of great writers and artists must allow later generations fuller access to their work

What do Samuel Beckett, Bertolt Brecht, Kurt Weill and James Joyce have in common, apart from being creative giants who are now all dead? The answer is that the work of each of them has recently become embroiled in posthumous battles — thanks to the actions of their own estates.

This year has seen a bumper crop of cultural estate controversies. A Paris theatre company took Samuel Beckett's trustees to court when it was refused permission to do an all-woman *Waiting for Godot*. Eventually it was given the go-ahead as long as it stated before each performance that the production was against the trustees' wishes. Brecht's formidable daughter Barbara threatened to withdraw all performance rights to her father's plays at the Berliner Ensemble when the city's cultural

sometimes this leads to a conflict of interests — it should make money for the artist's heirs. The estate also has a scholarly function to establish, for example, critical editions of an author's works. Most important though, the estate must keep the work in circulation. Indeed, this is the best way to protect integrity.

In reality, though, many estates "protect" the artist's integrity by holding on to unknown work and stifling invention. MacDonald condemns the Beckett estate's attempted censorship. "Not only was it a bad idea to do *Godot* with women, but it was a bad idea to ban it. *Godot* is a classic. If some group wants to get a troupe of dogs to bark their way through it, it wouldn't affect its fortunes."

Britain's most notorious instance of artistic suppression surrounded the comic operas of Gilbert and Sullivan. Until the

'In reality many estates protect the artist's integrity by stifling invention'

copyright lapsed in 1961, 50 years after Gilbert's death, the D'Oyly Carte Opera Company held a monopoly on all professional performances of the G&S repertoire. The result was a total mummification of the works: not a note of music could be sung differently, and everything had to be staged according to the

instructions encoded in the original 1890s prompt books.

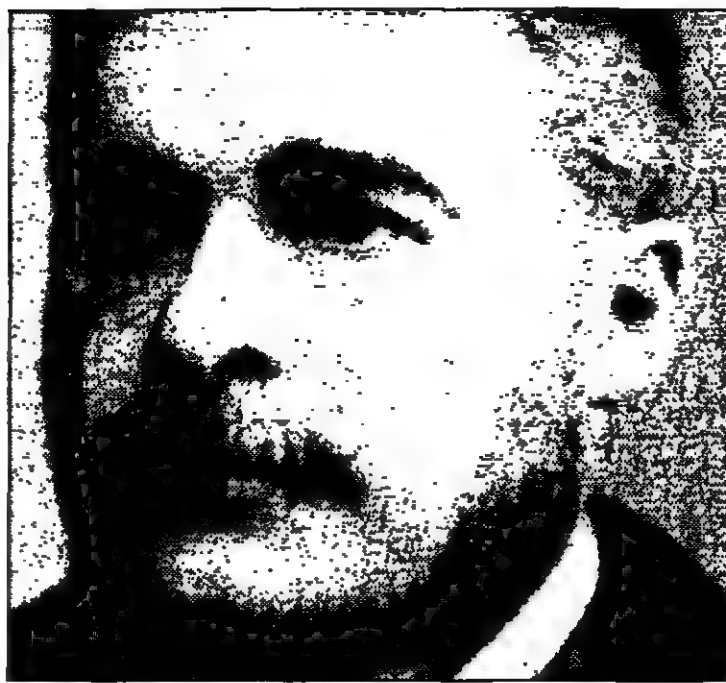
Fear of "offbeat" productions even resulted in G&S fundamentalists petitioning to have copyright extended by an act of parliament. That attempt failed, and the *New Grove Dictionary of Music and Musicians* argues that the expiry "proved salutary", resulting in new productions more in touch with the mood of the day and "a reawakening of creative interest."

However, comparison with other companies proved fatal to the original D'Oyly Carte Opera Company, which remained hide-bound by tradition. Barbara Brecht-Schall is famous for expressing her weighty views on the casting and style of new productions of her father's plays. But her dedication to the "truth" of her father's work has arguably been self-defeating. The Berliner Ensemble has become a mausoleum. Other estates, for example those of Evelyn Waugh and E.M. Forster, have more easy-going reputations. The literary agent Michael Sissons, who advises the two Waugh estates, says with a hint of bravado: "You don't necessarily expect a film company to respect the wishes of the author. You take the money and run in most cases." But, of course, the financial arrangement

is a vetting process in itself. Only mainstream companies can usually afford the £50,000-£100,000 to buy film rights. Even then Auberon Waugh imposes his own quality threshold, admitting "I should think I stop one project a month."

Anyone wishing to adapt Forster must present their case to the King's College Cambridge triumvirate in charge of the estate. Charles Sturridge, director of the film *Where Angels Fear to Tread*, insists it is a "relatively informal, in the end financial, agreement" with no script approval. But his producer Derek Granger still had to answer the trustees' specific questions about his treatment.

What is striking about the Forster (and Waugh) adaptations is that they all look the same — beautiful, faithful but dull period



Embroiled in posthumous battles: Sir Arthur Sullivan, Samuel Beckett, Bertolt Brecht, James Joyce (clockwise from top left)

pieces with Oscar-nominated costume designs. And the three filmmakers who have been given permission — Sturridge, David Lean and Merchant Ivory — all belong to the same conservative, literal-minded school of film-making. True, the estates do not demand final script approval, but by then they do not need to.

At least the Forster, Waugh and Brecht estates are acting in a way they consider protects the author's interests. For some others, the guiding principle seems to have been self-protection. MacDonald argues: "No writer should ever leave the management of his estate to his family. You leave your diaries, your daughter finds them, and they contain a whole lot of references that are not flattering, so she simply tears them out."

There are many other instances of suppression by those entrusted with an artistic legacy. Johann Strauss's brother burnt a mass of manuscripts in a fit of madness after Strauss's death. Ruskin is said to have destroyed drawings by Turner because he thought them "dirty"; and Robert Southey reputedly destroyed Byron's autobiography so it would not conflict with his own life of Byron. More recently, Olwyn Hughes, Ted's sister and guardian angel, has tried to put injunctions on numerous biographies of Sylvia Plath, because they have not been kind to Plath's husband Ted Hughes.

Yet in the case of the all-woman *Godot* case, there were no vested interests. The trustee, Jerome Lindon, was merely acting in accordance with Beckett's conviction that the language and tone could only be conveyed by men. Did Lindon make the correct decision? After all, to realise just how dangerous bastardised images can be, we only need consider the fate of *Dracula*. For most people it means Hammer House of Horror, not Bram Stoker.

But does that mean an author's word (either as published or expressed as a wish) should be sacrosanct, a tablet of stone? Or should the likes of *Godot* be freed to evolve in the public domain? After all, Olivier's film of *Henry V* and Kurosawa's *Ran* (his version of *King Lear*) can hardly be said to have destroyed Shakespeare's reputation. Some trustees have carried caution too far. They should relax their grip; they might be pleasantly surprised.

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Salzburg summer

GRANDEST of all European festivals, Salzburg has announced that its summer programme in 1992 will have a non-traditional flavour, with a big increase in spoken drama. Pierre Boulez will bring his Ensemble Intercontemporain to Salzburg for four performances of 20th-century music. Olivier Messiaen will also be a featured composer, with a new Peter Sellars production of *St. Francois d'Assise* played by the Los Angeles Philharmonic. Solti, Haitink, Muti, Abbado, Rattle and Dobnanyi are in the conducting lineup; operas include Rossini's *Tancredi*, Richard Strauss's *Salome* and *Die Frau ohne Schatten*, Janáček's *House of the Dead* and Mozart's *Tito and La finta giardiniera*. Peter Stein inaugurates what is intended as an on-going open-air Shakespeare cycle, beginning with *Julius Caesar*.

Not guilty

WILLIAM Archibald's ghostly drama, *The Innocents* — based on Henry James's *The Turn of the Screw* — returns to London next month after 31 years' absence. The young director Robert Delavante will stage *The Innocents* at Greenwich. It will be the play's first professional production in London since its 1950 premiere, though the 1961 film has become a classic, as has Britten's operatic treatment.

Global alert

ACTORS who worked at the National Theatre during the Old Vic era under Laurence Olivier (1963-73) will join with other distinguished thespians next month for a fund-raising gala. To support the Shakespeare Globe Trust's plan to reconstruct the Thames-side theatre, Jeremy Brett, Jane Lapotnik, Edward Petherbridge, Robert Stephens, Tom Stoppard and Denis Quilley will present "Larry's Stable", a Shakespeare evening at the Old Vic devised by



Virginia McKenna: for Shakespeare's Globe the television producer Cedric Messina. The plans also include appearances by Joan Plowright and Virginia McKenna. Tickets for the show, on December 15, go on sale at the Old Vic today.

Last chance...

HAS Kylie got credibility? If substituting Madonna-style deshabille for a wholesome girl-next-door image were all it took, then Miss Minogue would be home and dry, but there is still the bothersome matter of her music, which remains bright, trite, three-minute formula pop. Remaining dates are: Edinburgh Playhouse (031 557 2590) today; Sheffield City Hall (0742 735295) tomorrow; and Point, Dublin (010 3531 366777) Friday.

MARTIN CROPPER

Search for the perfect chilli

RADIO

SUNDAY afternoon was enlivened by a brace of Canadian exiles. One, the late Elizabeth Smart, was ventriloquized by Maureen O'Brien in the 1978 version of *By Grand Central Station I Sat Down and Wept* (Radio 4) for which the latter won that year's Best Actress award. This overwrought and hormonally saturated lament for Mr Wrong (George Baker, who died last week) has the signal advantage of not caring whether — or rather, when — it is ludicrous. It swings between the morbidly sarcastic and the would-be tragic, the voice of my life was cooked for my breakfast by Elizabeth Smart one beer-and-brandy hang-over. As for Forbes, the only time I have ever given her dinner the damage came to £161.70 for two. My accountant continues to be haunted by that 70 pence. I simply cannot remember what it was for.

My theory on the Canadian exile question is that to flee the land of the midnight moose requires so much revved-up momentum that escapes forever lose touch with their brake pedal. Of both these exemplars I retain memories. The best chase soufflé of my life was cooked for my breakfast by Elizabeth Smart one beer-and-brandy hang-over. As for Forbes, the only time I have ever given her dinner the damage came to £161.70 for two. My accountant continues to be haunted by that 70 pence. I simply cannot remember what it was for.

On the air, in the author's own abridgement, the novel's famous Jacuzzi of self-pity was underscored by abundant evidence of perfect rhythm. Even where you felt the imagery needed a rethink, the sentences still carried their emotional freight with a poised insouciance. The other displaced person, the very much present Leslie Forbes, took a trip down New Mexico way in Radio 3's *Table Talk* to meet the Chilli Queen of Santa Fe and to record some memorably execrable cantina music. (Rita Hayworth was regrettably unavailable for interview.) The empathic-sounding Chilli Queen is a constant propagandist for her perky dried capscums, a panacea to be taken with every meal. She can be doing her innards scant harm, according to a San Francisco writer whom Forbes ran to earth in a sometime mustard warehouse in Wapping. This author owns a zinc-stomached cat named Freud. Prisoners in Peru are forbidden chilli on the ground it may inflame unrealistic desires. That ex-

threaded through the chosen pieces, all of which were related to defiant wartime self-sacrifice. They included Luigi Nono's *Il canto sospeso*, composed in the mid-1950s. Severely serial in construction, this sequence — using lines taken from letters by members of the resistance condemned to death in the second world war — both harrows and inspires. Today some might argue against Nono's manner of setting such text. But entrusted to the capabilities of the excellent BBC Singers, the soprano Lucy Shelton, the mezzo Mary King and the tenor Julian Pike, the work became an impassioned but dignified testament.

The main work in the opening concert of the London Symphony Orchestra's Prokofiev Centenary series (Festival Hall, Sunday) was the oratorio organised in 1962 by Abram Stasevich from Prokofiev's music for Eisenstein's film, *Ten*. *Ten* is a terrible. Despite having to endure a major problem with amplification at the beginning of Part II, Christopher Plummer's delivery of the text was authoritative, rightly adopting a melodramatic stance, and Tamara Sinavskaya and Sergei Leiferkus sang the contralto and baritone roles with consummate conviction. The London Symphony Chorus and New London Children's Choir were equally good.

But despite Mstislav Rostropovich's ardent conducting and the LSO's relish of every excess, nobody could hide the fact that this music contains too many picturesqueness, too many isolated episodes, to be able to live comfortably without its associated pictures. The earlier, brief but explosive cantata *Seven they are Seven* of 1917, noisily anarchic, though it sounds, made the deeper impression.

STEPHEN PETTITT

ARTS REVIEWS

Dance and Theatre

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ORCHESTRAL CONCERTS: LONDON

Thrills and a few spills



Healthily unconstrained in his musical language: Mark Anthony Turnage

which had begun the concert. Another pianist, Alfred Brendel, had better fortune with his orchestral partners next day at the Barbican. Simon Rattle and the City of Birmingham Symphony Orchestra were obviously as keen to provide an intense, dramatic and emotional account of Beethoven's "Emperor" Concerto as was their soloist, and the resulting performance was momentous.

The concerto was introduced boldly by Mark Anthony Turnage's *Momentary*, a ten-minute celebratory essay which was first heard earlier this year in Birmingham and reveals a surprising affinity with the sound world of Copland. If it feels intellectually — and for that matter emotionally — less engaging than much of Turnage's work thus far, it at least proves that he feels healthily unconstrained in his language.

The same has often applied to Hans Werner Henze, whose momentous Seventh Symphony seems to get darker, more Jane-Mahlerian in spirit and more emotionally overwhelming with every performance. The CBSO played it with utter confidence, confronting its mountainous hazards as if they were hillocks.

Despite the CBSO's boldness, the week's most ingenious programme came from the BBC Symphony Orchestra, under Ingo Metzmacher (Festival Hall, Saturday). Darkness again

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Vogue has named Karl Lagerfeld's reinvention of the couture classics in denim as the look of 1991. Liz Smith reports

CHRISTOPHER MOORE

CHANEL rules, OK?

A stretch denim skirt worn with a Lurex-threaded Chanel tweed jacket, T-shirt, and a jangle of chains and pearls, is about to be indelibly date-stamped as the look of 1991. Next Tuesday the ensemble, created by Karl Lagerfeld for this winter's Chanel ready-to-wear collection, will take its place in the Museum of Costume in Bath as the Dress of the Year, alongside such definitive styles as Katharine Hammett's political slogan T-shirt (1984) and Romeo Gigli's short velvet jacket, worn with a fachu of layers of net (1990). Elizabeth Tilberis, editor-in-chief of British Vogue, need look no further than the popular street style of gilt-buttoned and braided mock Chanel jacket, with a stretchy short skirt, for an endorsement of her choice of Mr. Lagerfeld and his spirited update of the Chanel style.

about £1,500. "Coco Chanel took plain jersey out of nowhere. It was used only for men's underwear in the 1920s," Mr. Lagerfeld says. "With the Chanel image I make half steps, small steps, always moving. I see denim everywhere. It is the most typical look of today. It is worn with a tough leather jacket or dressed up with jewellery. Why not? It is what fashion is about, and the way fashion must go."

Mr. Lagerfeld enjoys the trashing of high fashion. Like Chanel, he expects couture to keep pace with contemporary life. He has introduced bondage vinyl straps, leather corsets, chained boots,



Thinker: self-portrait of an inspired Karl Lagerfeld

quilted net duffle coats and track-suits into Chanel, and calls it rock 'n' roll couture. At the last Chanel haute couture show in July, much of the jewellery was made of hologram discs, and the bride appeared in what looked like black plastic. "Everyone thought I was using garbage bag fabric for the wedding dress," he says with satisfaction. The fabric was silk crepe. "I like the material. I try to make things less boring, to break the rules."

In Chanel's spring ready-to-wear collection, shown in Paris last month, the Chanel suit turned up in towelling, and evening dresses consisted of boxer's white tank tops emblazoned with the CC logo, worn with tulle or taffeta evening skirts. "I like clothes for real life," Mr. Lagerfeld says. "I do things by instinct. I prefer to do stage design to play out my fantasy."

Mr. Lagerfeld's own uniform of dark frock coat and Regency pigtail will not look out of place when he sweeps into Bath next week. This will be his first visit, although one of his designs won the honour in 1981—a drop-waist dress for Chloé in a multi-coloured Dufy-inspired silk. The award, launched in 1963 with a Mary Quant grey tweed pinafore, is intended to represent new and influential ideas which filter down to high street level. It also helps augment the museum's collection of contemporary style, started by Doris Langley Moore, the fashion historian, who died in 1989 and who established the museum with her own collection.

Chanel herself was a gutsy designer who constantly broke the dress taboos of her day. She would have approved of the 1991 version of her style in stretch denim and Lurex-flecked tweed, priced at

Mr. Lagerfeld's Chanel outfit goes on display from November 12, with the opening of 75 Years in Vogue at the Museum of Costume, Bennett Street, Bath, daily from 10am-5pm, Sundays from 11am-5pm.



Museum piece: high style marries stretch denim with fuchsia tweed, chains and pearls, chosen as the definitive look of 1991



Twinkle, twinkle: panels of Lurex tweed and denim

Crafty tartan ideas for a global market

ALASTAIR ROBERTSON

A fair in Aviemore attracts people from Tokyo to the Outer Hebrides

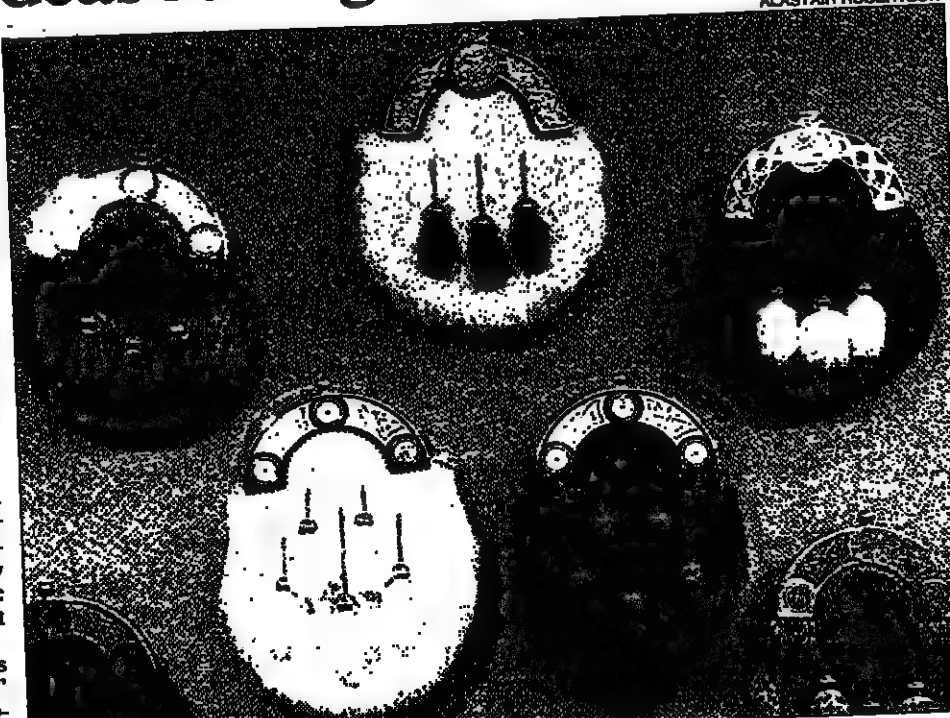
Hardly a style or fashion page has been complete over the past year without a photograph of Lachlan Stewart and Annie, his wife, swathed in their designer tartan, drinking coffee from tartan mugs and eating porridge from tartan bowls; and all until they moved back North recently, in the unlikely setting of a flat in London's Spitalfields. "Lachlan? He's done for tartan what Habitat did for copra matting," a competitor said at the Highland Trade Fair.

Nonetheless, it is to Aviemore, a concrete tourist centre halfway up the M9, that Mr Stewart must come each autumn to catch the eye of buyers from Tokyo to Tobere. For three days the craftworkers and key ring merchants, the weavers and tartan doll dealers commandeer the Aviemore Centre, three floors

of the Freedom Inn and the Cylumburgh Hotel. The Harris tweed and delicate Fair Isle knits sold here will re-emerge in the shops at Christmas marked up, in most cases, by 100 per cent. So will the two-fingered tartan car stickers bearing the legend "up your kilt". A T-shirt printed with a Rennie Mackintosh inspired design was selling particularly well, whether for its design or the accompanying slogan "Glasgow - Pure Dead - Brilliant".

There is a refreshing admission among the souvenir peddlers that their merchandise may not be quality *schmutter*, but it is what the punter wants. And you do not have to be Scottish to sell it. "Key rings. Everyone's granny wants a key ring," Doug Carmichael of Sampsons, from Southend-on-Sea, said. Teaspoon from Blackpool? You got it. Female doll from Hong Kong, in kilt and white nylon busby playing the pipes? Yours sir, by the gross. And any permutation of the Loch Ness monster, always known as Nessie, Nessie in a shake-it-up snowstorm, Nessie brooches and Nessie on a ting-a-ling porcelain bell. Anyone who proves Nessie does not exist will cost the British souvenir industry a lot of money.

Yet the heart of the fair is not the Sampsons of Southend or even the ethnic tartan wholesalers such as House of Edgar from Pitlochry, whose Flower of Scotland tartan sold out in Edinburgh during the Rugby World Cup. The fair still consists of indigenous craft industries, which now cover everything from pink dragons in compressed marble dust from Orkney to Derek



Silver and sealskin sporrans for sale: one of the traditional lines at the crafts fair this year

Shaw's Dundee fudge. Mr Shaw was celebrating a £100,000 order with a wedge of his whisky-flavoured product. In between the fudge and the dragons is Norwegian-born Christina Sandved, who sells handmade wooden tulips from an Aberdeen factory to the Dutch tourist board in London.

Bruce Blackadder from Mull makes 20,000 woolly bobbles hats a year—design and place names to order. But spelling can be a problem. "I nearly came unstuck with Kirkudbright. And the Isle of Rhum has changed its spelling to Rum."

Molly Arthur from Mull of Kintyre tans sheepskin with African mimosa bark. "No oak left in Scotland," she said. "When I first came here, 21

years ago, it was different. People from the islands in the woolly slippers." The slippers have been largely submerged by an army of art school-trained knitwear designers working in isolated crofts and selling to New York and Milan.

Harris tweed is still with us, however, despite the recession in America which cut sales by 80 per cent in one year. The industry is about to be revolutionised by the introduction of double-width hand looms, to replace the single-width Hattersleys introduced in the 1920s. "Intermediate technology," Donald John Mackay, of the Harris Tweed Association, said. The Harris tweed stand had been closed on the first day of the fair, it being a Sunday.

The women from the

Scalpay Knitters Co-Operative had also observed the Sabbath. They had travelled from their Outer Hebridean island by ferry to Skye, another ferry to the mainland and from there to Inverness and Aviemore. It took longer to get from Scalpay to Aviemore than to fly the Atlantic. They spoke in Gaelic and worried that their stand was not... a wee bit of a jumble, perhaps? Well, perhaps it was. But it was a homely jumble of generous jerseys; the sort wives give husbands for the boat and garden. "Do you like my Harris tweed teddies?" Rachel MacSweeney pleaded. The teddies looked as if they would rather be back home on Scalpay.

ALASTAIR ROBERTSON



There'll only be two Banks in fashion this winter. (Jeff's the other one.)

If you'd like a leaflet to apply for tickets to the BBC's Clothes Show Live at the NEC, 7-12 December, call in at any branch of Lloyds Bank, or ring the ticker hotline on 021 780 4133.

Alternatively, you can watch Jeff Banks co-host a special live edition of The Clothes Show programme on 8th December.

Either way, you'll be there, not square.



Sponsor of Clothes Show Live, Lloyds Bank Fashion Challenge and the Lloyds Bank Branch Fashion Awards

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Exercise in futility

Nigel Hawkes urges the government not to waste its energy

Michael Heseltine and John Wakeham have chosen an unfortunate moment to launch a campaign for energy conservation. Yesterday the environment and energy secretaries picked an appropriate venue — the Natural History Museum — from which to issue exhortations almost as whimsical as some of the exhibits on display. This time, they were trying to persuade you and me to fork out for new boilers, fancy lightbulbs, and high-tech loft insulation in order to reduce the threat of global warming. Save energy to save the world sums up their message.

Alas for them, the public has seldom been in a less receptive mood. The energy-saving industry is in the middle of its deepest recession since 1973. Cavity wall insulation is down 50 per cent since 1987, heating controls and boilers by almost as much. Even the double-glazing salesman has fallen silent, an eloquent measure if you need one of the bombed-out state of the industry.

Long experience teaches that ministerial urging alone will not persuade people to go out and spend money they do not have, however attractive the pay-back may seem on paper. The minority who lose sleep over global warming are the kind of people who insulated their lofts ages ago, have flirted with solar collectors on the roof, and already drive Citroën 2CVs with "Nuclear Power". No Thanks! stickers in the back window.

Would-be energy saviors face an economic conundrum. The ordinary consumer is reluctant to invest money to save energy if the pay-back time is longer than about two to three years. Power companies, on the other hand, are willing to take a much longer view, investing billions in plant that will not pay back for 20 years. In economic language, the discount rate applied by individuals is very different from that applied by energy providers, and the result is that production of energy has always taken precedence over its careful use.

Every campaign ever launched by governments in this field can be summed up as urging the consumer to take a longer view, or, to put it another way, "we know better than you do how you ought to spend your money". Grudgingly for many of us, people have proved extraordinarily tenacious in resisting this message. I predict with every confidence they will do so again.

In California, which has some good ideas among the bad, a different approach has been tried. Pacific Gas and Electric has no plans to build any more power stations, it doubts it will ever do so. Instead of putting money into new plant, it invests in concessional loans, gifts, rebates and leases to customers to encourage them to use electricity more efficiently. A dollar spent in this way produces a much higher return to the utility than one spent on new plant.

The mechanism of the pay-back gap between individual and corporate investment decisions, and is in prospect, a body's best interest. It provides a vivid example of a market mechanism being used to solve a problem that mere rhetoric cannot budge. Why do British energy providers not adopt this approach?

If the Southern Electricity Board would offer me a low-interest loan to replace old lightbulbs with new compact fluorescent which fit into the same sockets, I would take them seriously. If BP would chip in, I would replace my creaking old boiler, use less of their oil, and almost certainly give them a better return than they get from supplying it.

But if Mr Heseltine and Mr Wakeham continue to issue exhortations on the need for virtue, in the false belief that they are pursuing Conservative policies, I shall continue to ignore them.

Janet Daley says immigrants have kept up educational standards because they are determined to get ahead

Top marks for the Patels

A boy I know, growing up in a working class area in the North-east, was failing disastrously at school despite having shown precocious talent as a toddler. His despairing mother went to see the head to ask if he could not be stretched a bit more (and perhaps given some homework). The head suggested reassuringly that there was no need to worry: she simply had unrealistic aspirations "for this neighbourhood".

This might have succeeded in putting off the browbeaten English, but the refusal of Asian parents to accept anything less than the highest goals is more of a challenge to the counsellors of the under-achievement conspiracy. One careers teacher surveyed in a research project in 1985 said: "The trouble with these Asian girls is that they all want to be doctors, lawyers and brain surgeons." What kind of education system produces advisers who feel that idealistic ambitions are a problem? What kind of democratic society tolerates a schooling system which reinforces the philosophy of "Aim low, who are you to expect to achieve more?"

A determined pupil will not be defeated by a school's patronising attitude. Asian immigrants who came here with ambition, self-respect and a commitment to improving their children's prospects have successfully brushed aside the insulting condescension of a

The answer is a society which has never properly understood the connection between ambition and self-respect, between real education and opportunity, and, most crucially, between social mobility and political freedom.

That ethnic minority children are outstripping white pupils at school — even in English — offers some reasons to be cheerful, even while it confirms our suspicions about English working-class attitudes to education. First the good news: the achievements of Asian children prove either that British schools are not actively racist, or that if racial assumptions about under-achievement exist, they are not self-fulfilling.

A determined pupil will not be defeated by a school's patronising attitude. Asian immigrants who came here with ambition, self-respect and a commitment to improving their children's prospects have successfully brushed aside the insulting condescension of a

schooling orthodoxy which says that expecting too much of children will damage them. Not having spent generations immersed in the sullen passivity that the British working classes see as their birthright, Asian parents push their offspring shamelessly.

I have a particular problem in understanding the complacency of the British in these matters. My family were Jewish immigrants to the United States whose ambitions for their children were very similar to those of British Asians. No goal was ever too high to be thought out of reach. I even had one of those legendary uncles who kept his shop open seven days a week in order to put his son through medical school.

There were, no doubt, casualties of this philosophy. I am not untouched by the "Jewish neurosis" which pursues its victims with relentless fear of failure. But given a choice between my

anxieties and the miasma of self-loathing which locks the bottom of British society into its terrible inertia, I know which I would prefer.

Of course, schools have been attempting to grapple with this question. Much of the vast literature of educational theory has been devoted to the intractable problem of apathetic defeatism. For the past generation, we have had a perverse reversion to the myth of the "noble savage".

If working-class people insist on clinging to patterns of cultural deprivation and resist every attempt to broaden their experience, then the appropriate response of schools, we are told, is to support them. Embrace their "culture": it is not inferior, just different. Leave their impoverished speech uncorrected: it is part of their heritage, even if it does trap them forever in their narrow, unemployable lifestyles. Accept that high culture and the

wider world of literature can be kept from them: they are largely irrelevant in such an environment anyway.

So it is that a supposedly liberal education ideology can produce a careers teacher who says, "The trouble with these Asian girls... But it is not just the Asians who transcend the perversities of British education. Among parents in inner London, it is widely known that the way to find a tolerably adequate school is to choose one with a large contingent of West Indian parents. Unlike the local English families, the West Indian immigrants are determined that their children shall better themselves. Unimpressed by progressive mystification, they demand that their children be taught basic skills so that they stand a chance in a competitive economy.

They have often led the fight for a return to the kind of teaching which Kenneth Clarke and, more surprisingly, David

Hart, the general secretary of the National Association of Headmasters have advocated this week: instruction in separate, definable disciplines rather than the exclusive reliance on unstructured project teaching. The primary-school dogma which held that "artificial" divisions of subject must give way to more open-ended, unstructured project teaching has failed precisely those children it was designed to salvage: those who are resistant to formal education. By abolishing clear goals and identifiable accomplishments, it dismantled what incentives there were to taking the series of small steps which lead from ignorance to enlightenment.

By intertwining the learning of literacy and numeracy into "real life" topics, it has lost any sense of the intellectual pleasure of mastering a clearly defined skill which can then be applied in any number of other contexts. When English parents sensed the wrong-headedness of this and protested, they were cut down to size by being labelled "pushy". Immigrant groups are not so easily fobbed off.

Race returns to haunt the South

Peter Stothard describes the passions unleashed by a Louisiana election

Barely a mile from the site of one of the 1960s brutal civil rights demonstrations, 23-year-old John Johnson, white, heavily stubbled and angry, pushes back his baseball cap and whoops "Duke for governor. Duke, Duke, Duke". There are 13 days to the election which Washington sees as the most portentous of the year.

The young drinkers in Jack Miller's bar were not born in the summer of 1963, when a Louisiana mob of specially appointed sheriff's deputies charged into a march of black children protesting the town's policy of segregation and gerrymandering. John Johnson, which may or may not be his real name, says he knows nothing of the Plaquemine Baptist Church which was gutted that night, nor of the strange escape of Martin Luther King's colleague, James Farmer, who avoided an official lynch-robe by crawling into the dead-man's space in the back of a high speed hearse.

Even David Duke himself, the pale-faced, blue-eyed hero whom John Johnson wants to be Louisiana's next governor, was only 13 in 1963. He was just beginning the career as an anti-Semite, American Nazi and Ku Klux Klan grand wizard which has brought him, at the age of 41, to the brink of high office. President Bush is frightened by the prospect of Governor Duke — not least because he is being partly blamed for it.

The Louisiana power-brokers trying everything this week to defeat Duke face a hard task. To many white voters of Plaquemine, visitors from out-of-state are rare and nearby New Orleans is a faraway Sodom. David Duke is seen as the man to right the wrongs they attribute to the legislation that followed the Sixties' marches. Civil rights means "niggers who get welfare without working for it." It means "niggers who use food stamps for beer and drugs". It means that those blacks who have jobs are filling federally

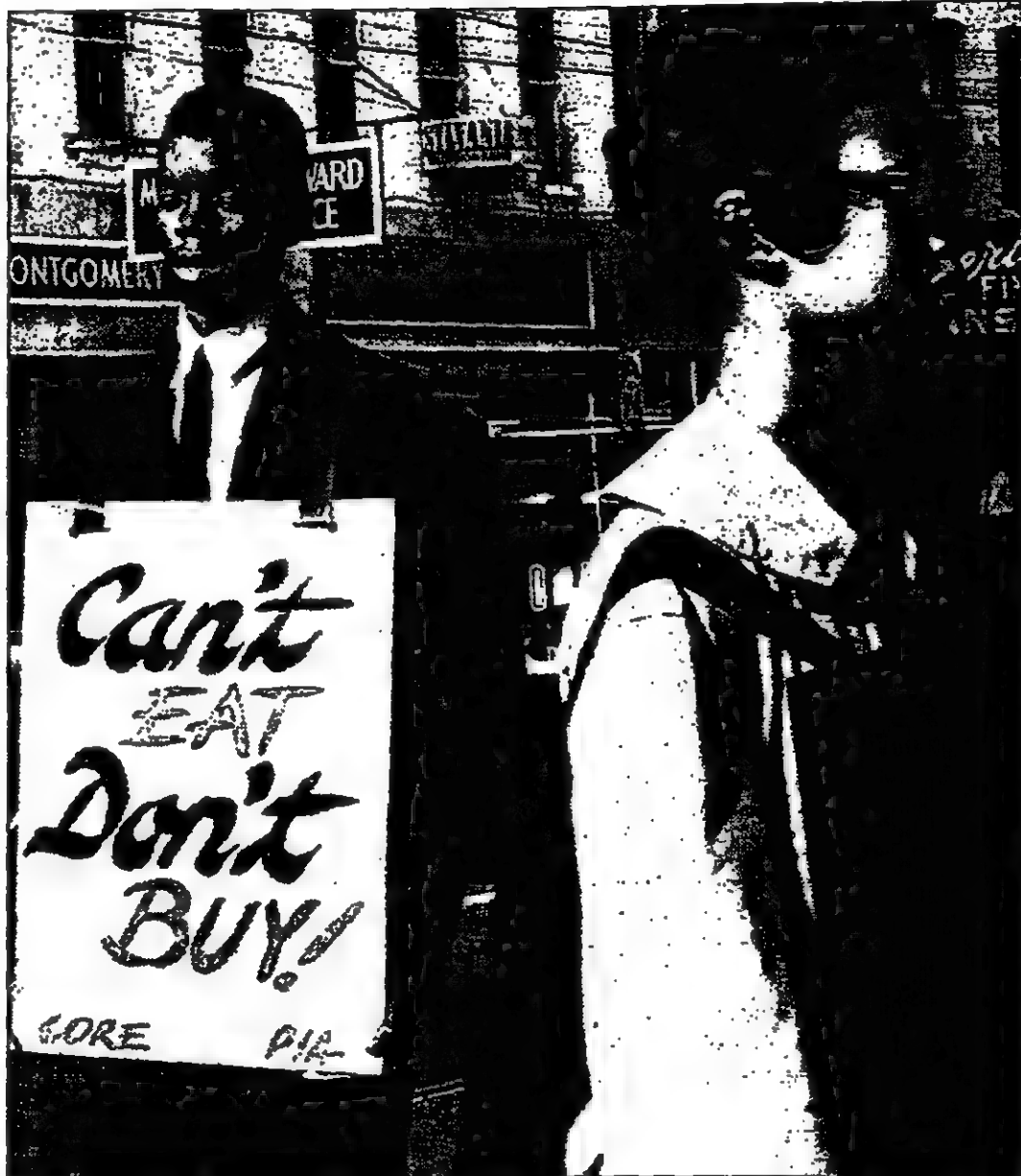
imposed quotas which discriminate against whites. "The word 'nigger' is not taboo in Plaquemine. Mr Duke himself does not use it publicly, although ten years ago he openly raged against 'a brown swarm of locusts devouring our jobs and genetic heritage'."

In a television debate on Saturday night he spoke more gently of Louisiana as "a wagon which had too few people pulling it" and too many people riding on it. His promised programme aims to link work and welfare payments, to impose drug tests on welfare recipients, and to remove the incentives for unmarried women to have large families funded by the taxpayer. "Whoopie," go Jack Miller's customers. "Yes," said 44 per cent of Louisiana voters when Mr Duke just failed to win a senate seat last year. "Yes," said 32 per cent of voters in a six-candidate gubernatorial primary last month in which Mr Duke destroyed the career of President Bush's choice for Louisiana, Buddy Roemer.

The consuming question for local politicians now is whether Mr Duke can win more than 50 per cent in the final vote next week. How, they ask each other, can Duke be stopped from inheriting one of the most powerful executive jobs in America, modelled by the dictatorial Huey Long in the 1930s for his own purposes and available for use and abuse by his successors ever since.

For others, including President Bush, the question is almost as painful if Duke loses as if he wins. How, they ask, can a man attract such support who as recently as 1985 freely told an interviewer that the Holocaust never happened, that Zyklon-B was for killing lice, and that "every major city has crematoria and it takes Jewish Hollywood to make crematoria into 'ovens'?"

The former Plaquemine march leader, James Farmer, who today is 70 and blind, is also concerned — but unsympathetic. He recently



Campaigning for equal rights in 1960: young protesters fight the colour bar outside a diner

re-enacted the events of 1963 and "everyone," he says, "wanted to shake our hands this time. The local police chief whose predecessors had used electric cattle prods to make us run wanted to be photographed with me so as to help his career."

But the whites of Plaquemine are still racist, he intones, and he blames today's politicians for emboldening them to be so.

"People are fooling themselves who give other reasons for David Duke's success than that of racism," he says. "It makes them feel better to call it economic resentment. But the real reason is the strength of the belief that character can be defined by the colour of your skin."

Jim Farmer's view — and in essence many American conservatives agree — is that the country

has been conducting a 30-year dance of deception on the subject of race. "No one should be surprised when Duke gets the support that he does," the former civil rights leader says. "In the Sixties we did not eliminate racism, we temporarily regulated people's behaviour."

John Johnson is certainly a proud racist. He wants blacks to be put on reservations "like

Indians" to stop them "taking over". A fellow drinker regrets the passing of the days — only ten years ago in Plaquemine Parish Hospital — when black and white employees were served from separate food containers.

At this point however, a drinker on the other side of Johnson, who would not give his name, begins to despair. "Some blacks work," he points out, to disbelieving smiles around the bar. "There are white niggers too. Anyone who doesn't work, sits on his ass and smokes dope that we pay for, he's a nigger." The subject quickly changes to the football game on television.

David Duke wins on November 16, the subject will not be discussed so easily in Washington. But, as political analysts will doubtless swarm around the oil refineries and sugar plantations to ask why it happened, what part was played by recession, what part by Republican campaign commercials about the firing of Willie Horton, the black murderer who committed rape when on leave from prison, and what part by racist attitudes.

Few Plaquemine voters are as outgoing as the Jack Miller crowd. Although this was one of the strongest areas of Duke's support in the two most recent polls, these are almost no posters for Duke here. These are endorsements to vote for Duke's Democrat opponent, Edwin Edwards, and many for Freddie Pitts's bid to be Sheriff and Jimmy Dupont's to be Assessor. But among the shabby bungalows, miniature neo-bellum mansions and stiff fields of sugar-cane, I saw just one blue-and-white notice calling for a Duke vote. The only other "Vote Duke" was written in dust on the side of the freight train whose 100 giant chemical cars shattered the Sunday afternoon peace for the children and chickens who live along the line.

Opponents of Duke are almost as silent as his supporters. Black voters in Plaquemine are as reluctant to talk about Duke as the whites. A campaign pitting anger against fear has little heart for razzmatazz.

...and moreover CRAIG BROWN

Every now and then, fashion favours the thick. One year, readers of Pica-dor paperbacks and Granta and fans of Frida Kahlo are in the ascendant; then, just as they are getting comfortable, rap music and Neighbours and Arnold Schwarzenegger come along.

My generation of thirty-somethings has always managed to be in the wrong place at the wrong time. Too young to be hippies in the late Sixties, a decade later we were too old to be punks. At ten, I yearned to be a long-haired student and to go to San Francisco, being sure to wear some flowers in my hair. Instead, I was stuck behind a school desk translating "The noble Caesar, having approached the Gauls, reconquered the woods with vigour and prepared for war" from the Latin.

At twenty, I had at last become a long-haired student, only to find that this was now dreadfully passé. Everyone who was anyone was now sixteen-and-a-bit, mohican-haired, and anti-hippy.

I have managed to come to terms with the trauma of recurrent unfashionability, but others of my generation have not been so lucky. In the past fortnight, two of them have sought to leap from their high temples of learning onto the bandwagons of the greatest repositories of post-war yobboery: football hooliganism and punk rock. Alas, both bandwagons went by months ago.

In the late Seventies, someone with the pleasantly Barbara Pym-ish name of Jonathan Sage

discovered punk. One of his first actions was to change his name to Jon Savage. This is what he still calls himself 15 years later on the cover of his new 600-page history of punk. The book is full of quotations from George Steiner, Rimbaud, Reich and Doris Lessing. It argues that punk was a fully-fledged artistic movement which "sought to illuminate and dramatise deep-seated contradictions with a sophisticated ironic rhetoric".

Meanwhile, the editor of Granta, Bill Buford, has written a book in which he relays "an experience of absolute completeness" and seeks to depict a "precise moment in its complete sensual intensity" — before chronology allows the moment to evolve into its consequences. He is writing — but of course — about football hooliganism.

The moral to be drawn from these two books — and I suspect it is one the subjects themselves would agree with — is that anyone who wants to write about hooligans or punks is ipso facto unqualified to do so. Yobboery is not self-conscious. Its energy is snuffed out by reflection. This theory is borne out by events. Since Buford began his manuscript, hooliganism seems to have petered out. Could it be that the knowing presence of Bill Buford, his notebook crammed with insights, took the fun out of being a hooligan, and the yobs moved on to other things? If so, the government could solve many a social problem by detailing sensitive writers to study

them. Joy-riding should be a priority. Sir Roy Strong could be commissioned to sit in the back of the stolen vehicle, quill in hand, asking pertinent questions of the toyriders. Within minutes, the car would screech to a halt, arms in the air, to transgress no more.

Pop music became boring as a direct consequence of writers finding it interesting. In the beginning its innocence was unsullied by prose. Then a cloud of interest descended. "What were the holes in Blackburn supposed to represent?" David Pichaske, Professor of English at Bradley University, Illinois, asked of the Beatles' pleasantly nonsensical song, "Day in the Life", before explaining: "Those who understood about the space between us all, and the illusion, and the lost love, knew that the holes were sitting right there in the Albert Hall in front of the band... It was holes that were listening to the album."

Pop stars came to believe the writers and to forget about tra-la-ing pop. Messages abounded. Ex-lovable-mop-top John Lennon bought a page in The New York Times advising everyone to draw halos around one another's heads, and to "Lift your eyes and you will see you are walking in the sky, which extends to the ground". Need I go on? The next time an in-depth study of a popular movement is to be published, you can be sure the movement won't be popular for very much longer.

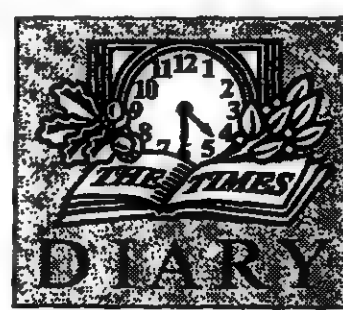
Back on board

LORD KING and the Tory party have kissed and made up. Only three months after King suspended British Airways' £40,000 donation to the party in protest at government policy, the BA chairman was a surprise guest on Sunday at the Conservatives' most glittering fundraising event of recent years.

Ministers were angry in June when King withdrew his support at BA's annual meeting in London. But King bought two tickets for himself and his wife to attend a £500-a-head roast beef and Yorkshire pudding lunch at Blenheim Palace over the weekend, which was raising funds for the Tories' general election campaign.

He also donated two British Airways tickets to Hong Kong to the auction which followed the lunch in the palace's Great Hall. John Major, the guest of honour, went out of his way to welcome King to the select gathering of party supporters and captains of industry, hosted by the Duke and Duchess of Marlborough. By the time the lunch was over, more than £250,000 had been raised, easily eclipsing Labour's £70,000 ball at the Park Lane Hotel.

King watched with evident satisfaction as Jeffrey Archer and Lord Gowrie, the chairman of Southern, the wealthy gavel to great effect at the auction, which realised £140,000. The highest bid was £40,000 for an antique silver salver with John Major's name engraved in the centre. One of the lowest bids was for a day on a dustbin-round with Lady Porter, the former leader of Westminster city council. But with Porter herself egging on the bidders even that eventually went for more than £1,000.



What a difference a war makes! A year ago General Norman Schwarzkopf told a friend, John Gillette, that he hoped to make as much money in his retirement as the former military pilot, Chuck Yeager. The sound-barrier-breaking airman today earns a six-figure sum endorsing car parts. Now Schwarzkopf stands to make more than \$8 million in his first year of retirement. Gillette has sent him a telegram: "Chuck who?"

Baptism of fire

WHAT would Henry VIII make of it? Westminster Abbey has just hosted its first Roman Catholic baptism since the Reformation. Young Edward Mumford, born earlier this year of good Catholic stock on his mother's side, enjoyed the privilege thanks to his paternal grandfather's membership of the Order of the Bath. Sir William Mumford's children and grandchildren all have the right to be baptised in the Henry VII Chapel, where members of his order are installed.

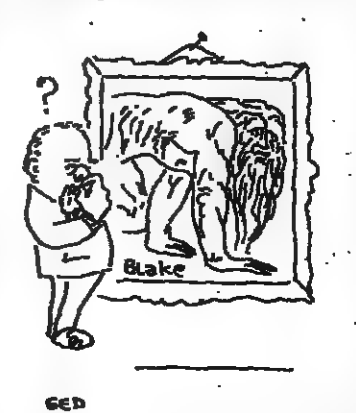
The Rev Michael Mayne, dean of Westminster Abbey, who was at the baptism, says: "I would say that this is at least the first Catholic baptism in the abbey for about 400 years. It would have been unthinkable when I started in the Anglican church, 30 odd years ago, and shows how far we have moved

along the road to unity with Catholicism. I told young Edward that it was a special day for him and that he would remember that another Edward — the Confessor — had built the Abbey."

Artist's block

ART may be forever, but even artists forget. The British painter Peter Blake was puzzled when he cast an eye over Christie's catalogue for this week's auction of contemporary British paintings.

It listed four paintings attributed to him, all with suitably elevated price tags. But he did not recognise two of them: Looking at a Painting and Girl Eating an Apple. Sure enough, assiduous research by Graham Southern of



Christie's established that Girl Eating an Apple is a fake

The provenance of the other picture proved harder to establish, but with an estimate of £15,000, the auction house was keen to set the record straight. Blake was adamant that he did not recognise it. Eventually, to Christie's relief, the artist decided it was one of his. "When you paint so many pictures, it is pretty easy to forget. Only when they resurface do you

remember them. This is the first time I have seen it since I painted it in 1955."

Michael Heseltine extracted a terrible revenge yesterday for England's defeat in the Rugby World Cup, when he launched the government's latest energy conservation campaign. "Helping the Earth Begin at Home". The campaign logo features a map of the globe — which Australia curiously omitted. The secretary of state denied suggestions that it had been rapidly reprinted at the weekend.

Fast track

FRUSTRATION at finding that the Middle East negotiations may be long and drawn-out is premature to say the least. The two Koreas are still holding ritual slanging matches at the spot where they have met ever since the war ended in 1953. Under the UN agreement which ended the war, either side is entitled to a meeting over the table straddling the border at Panmunjom. Meetings are only called when the news is bad.

The two superpowers also score highly in the table of tortuous negotiations. They spent 16 years arguing over the terms for the Mutual and Balanced Forces Reduction talks. By comparison, President Sadat and Menachem Begin were remarkably quick: it took them only two years to sign the Camp David agreement after Sadat's trip to Jerusalem in 1977. Sometimes diplomatic wrangling is so protracted that when a solution is finally found, no one can remember the problem. As Palmerston said of the Schleswig-Holstein question: "Only three men have ever understood it. One was Prince Albert who is dead; the second was a German professor who became mad; I am the third — and I have forgotten."



MANUFACTURING EXCUSES

British industry needs every assistance from the transport, environment and employment departments, which determine the nation's infrastructure, development and training. It needs it even more from the Treasury, in providing the right economic environment. It needs it like a hole in the head from a revamped trade and industry department, peddling corporatist intervention dressed up as "industrial policy". If manufacturing industry is struggling today, that is not because it has been denied government intervention. In part, at least, the reason is that industrial leaders themselves have supported policies which were inimical to the interests of manufacturing. Some of these misguided policies have been on display at the Confederation of British Industry's conference at Bournemouth.

The supposedly competitive chiefs of industry at the CBI demanded the full gamut of anti-competitive policies from government, incentives for manufacturing investment, buy-British public purchasing policies and other forms of disguised protectionism. These go under the banner of defending British industry from "unfair play", in the words of Professor Roland Smith, the ousted chairman of British Aerospace.

This is rubbish. If Britain's manufacturers cannot compete with those of our industrial competitors, the reason is not unfair play, but shoddy goods that cost too much. The buck cannot be passed to a revamped industry department charged with protecting industry from the consequences of its own incompetence. The evidence of inadequate competitiveness is the trade deficit.

The pound is fixed at a challenging level chosen by the Treasury last year for ERM entry with the industrialists' explicit support. They can hardly complain if they find their profits under pressure. Their only course is to cut their costs more aggressively than they did in the mid-1980s and to close down those businesses that are incapable of surviving profitably in the high exchange-rate environment. The logic of the ERM implies that manufacturing industry will bear the main costs of adjustment to Europe's new non-inflationary environment. To try to cushion this process by

offering manufacturing special subsidies would defeat the purpose of ERM entry.

Costs are not the only reason why manufacturing companies choose to invest in one country rather than another. The skills and attitudes of the workforce, the transport infrastructure, the cost of the social security system, the quality of life and the tax regime for senior executives are all very important. In all these respects the government does have an important role to play in promoting manufacturing in Britain. Rather than paying homage only to Peter Lilley, the conference should have been grilling Michael Howard, Malcolm Rifkind, Tony Newton and Norman Lamont.

But much of the responsibility must be borne by industry itself. If Britain's industrialists are concerned by the fact that careers in manufacturing and engineering are unfashionable among graduates, the solution lies in their own hands. Instead of debating ways of improving the "image" of industry, they should be paying engineering trainees more and accountants, lawyers and classicists less. More importantly, they should be altering their entire corporate pay and promotion hierarchies. Senior production directors and R&D managers should be paid more in relation to finance directors and company secretaries. Engineers should be made to feel they are on the fast track to the boardroom, leaving their colleagues in finance and even perhaps marketing behind.

All this has nothing to do with government policy. It is a matter for companies themselves — and they should not do it out of high principle. They should do it only if they genuinely value engineering and manufacturing skills. And if they do not value these skills themselves, they should stop bleating about the poor image of manufacturing and the low status of engineering. The main speakers in yesterday's debate were Roland Smith, a business school professor of marketing, John Banham, a management consultant, and Digby Jones, a solicitor, to say nothing of Peter Lilley, a merchant banker, and Michael Heseltine, a property developer and publisher. Physician, heal thyself.

THE WARRING WIDOWS

Nearly six years ago, Ferdinand and Imelda Marcos fled Manila's presidential palace in an American helicopter. They were forced into ignominious exile in Hawaii by an irresistible surge of "people power". The new president was Corason Aquino, widow of a Marcos opponent gunned down in circumstances that pointed to presidential complicity. She promised to replace the Marcos regime by the rule of law, to root out the corruption of which the Marcos family was the most conspicuous symbol, and to introduce political and economic reforms.

Yesterday Mrs Marcos, herself now a widow, returned to the Philippines. She faces 70 civil and criminal charges of corruption and tax evasion. But her return was a political triumph which evokes memories of Peronism. She returned less as an accused than as a contender in the presidential elections next May, which she stands a chance of winning. Helped by an American public relations company, the "Iron Butterfly" ensured that her husband's battle cry "Marcos pa rin" (Marcos for ever) rang through Manila. Her disavowal of political ambitions followed nobody.

Why was Mrs Marcos allowed back? The Philippines is seeking \$100 billion in damages from Mrs Marcos, her late husband and their cronies for the alleged plunder of the economy, besides the recovery of \$365 million in foreign accounts. Philippines law does not permit trial in absentia, and the Swiss government had said it would unfreeze the Marcos accounts next month if she were not brought to trial by then.

Mrs Aquino must now rue her decision. Events have shown that the president is out

of touch with the feelings on the street. There, the half-forgotten misdeeds of her predecessor weigh less than the poverty which her own rule has done nothing to ameliorate. Still more must she rue her mishandling of her rival's return. The government could have limited the damage by escorting Mrs Marcos straight to jail.

That failure is part and parcel of the hesitancy that is the central flaw of the Aquino presidency. Her government's record in bringing crooked politicians and military men to book is unimpressive. So far only one case has been resolved in the Philippines, involving the recovery of 16 government cars. Mrs Aquino, herself a member of a wealthy landowning family, has made little headway in land reform.

Mrs Aquino's term expires in six months' time. New elections will then be held. Mrs Aquino, like Mrs Marcos, says that she will not run. That may or may not be true. In either event, the consequence of Mrs Marcos's homecoming is that the presidential campaign for her successor will now be fashioned in the Marcos mould. More and more extravagant language will be applied to a fight over less and less. What was once the most promising economy in South-East Asia will slip further down the hill in a manner reminiscent of Argentina under Peron.

America is closing its bases in the Philippines. For the first time, the future of the country will be wholly in its own hands. It must demand a better choice than that between the vacillating widow who holds power now, and the demagogue devoted to bringing about her downfall.

SCENES FROM CLERICAL LIFE

The Church of England is fortunate that its parochial clergy do not strike. Otherwise their dissatisfaction with pay might well be boiling over just now. A survey has found that only 11 per cent of them find their stipends adequate. Poor pay and conditions are blamed for the accelerating decline in vocations. Now the Church Commissioners report that, after the "boom time" of the 1980s, a growing proportion of the church's investment income will be needed to pay the clergy's non-contributory pensions. The Commissioners warn that "the adequacy of stipend levels in future years will depend directly on the giving of church members" — in other words, the collection plate.

How should the Anglican laity respond to the pleas of their clergy? With sympathy for their plight, or with impatience at their self-pity? The right answer, probably, is both. Certainly the clergy have suffered a relative economic decline over the past century. Suburban and rural vicars are significantly poorer than most of their neighbours, while inner-city clergy and their wives often weary of the life of social work portrayed in David Hare's play *Racing Demon*. Few seem to have the leisure to acquire the impressive erudition which marked out the clergy of previous centuries. Though their status is in fact higher than they suppose, Anglican clergy no longer enjoy the intellectually elevated, comfortable and privileged lives which many of their forebears once led.

Thus far Christian charity, but impatience is also in order. Stipendiary clergymen will next year earn between £12,200 and £13,100. When benefits in kind, such as housing and pensions, are included, though, the figure

rises to over £20,000. Such calculations take no account of the intangible advantages of clerical life for many: living within walking distance of one's workplace, for instance, or closed scholarships. The generosity of parishioners, often invaluable to clerical families, is statistically invisible. Though curates are indeed poor, the stipendiary clergy's standard of living compares well with that of teachers or social workers. The Primate earns £43,500, a respectable two-thirds of the prime minister's salary.

Nor is it true that clerical salaries have declined relatively in recent years. The shrewd financial policy of the Commissioners (which the High Court has wisely protected from a campaign led by senior clergy to impose additional "ethical" constraints on investment) meant that stipends rose faster than the retail price index over the last decade, by some 30 per cent. For most of the time they even stayed just ahead of the average earnings index.

None of this has much bearing on the spiritual aspects of the vocation. Anglican priests tend to forget that clergy of other denominations are mostly poorer than those of the established church, yet clamour less for career structures, early retirement, office facilities and other "rights". Roman Catholic clergy take vows of poverty as well as celibacy, while Nonconformist ministers have few vicarages and cannot even dream of episcopal palaces. If it is true that the Anglican church can only attract new priests by offering better wages, that says little for either's grasp of essentials. As Christ told the clergy of his day: "Ye blind guides, which strain at a gnat, and swallow a camel."

Westminster role in federal Europe

From Professor Emeritus S. E. Finer, F.R.S., and Professor Emeritus Thomas Wilson, F.R.S.

Sir, Constitutional change may now be the most important long-term issue before the British people. What may not, however, be adequately appreciated are the implications for Parliament of federation in Europe combined with devolution in Britain.

Both the Labour and the Liberal Democrat parties propose to transfer responsibility for a wide range of policies to elected regional assemblies within the United Kingdom. The Liberal Democrats would also transfer a further range of responsibilities to a European federal authority. Labour has preferred — understandably but surely regrettably — to attack government attitudes rather than make constructive proposals, but federation has not been rejected outright and Emu (economic and monetary union) has apparently been accepted.

A European federal government, if similar to federal governments elsewhere, would be responsible for foreign policy, defence, international economic relations, monetary policy and a large part of environmental policy. National fiscal and industrial policies would also be constrained.

Regional devolution along the lines proposed for Scotland in 1979 would mean that the new assemblies to be established in all the British regions would be responsible for health, education, housing planning and local government, together with parts of transport and environmental policies.

What, then, would be left for Parliament to do? There would be a residue, but no attempt seems to have been made to identify it.

What we must then try to contemplate is a somewhat unusual scene with the ministers in a Labour government, or in a Labour-Liberal Democrat coalition, willingly abandoning the greater part of their responsibilities. Even an outraged Sir Humphrey might be hard put to it to save them from the self-

destructive consequences of their constitutional commitments.

To take just one domestic example, when it came to the crunch, would a Labour government be content to see the emergence of several regional variants of the health service? But this might well happen unless devolution were to be much watered down.

Constitutional twists add to the irony of the situation. The Liberal Democrats continue to insist on proportional representation, and Labour now looks on this proposal with a new sympathy; but the importance of PR must decline sharply with the declining importance of Parliament itself.

Labour is to embark at last on the long-threatened reform of the House of Lords; they propose an elected second chamber for this emasculated Parliament — on the assumption that impotence reformed would differ greatly from impotence unreformed. By contrast, the Conservatives are determined to maintain the authority of Parliament but have shown no interest in parliamentary reform.

Courtesy requires us to assume that the leaders of the parties mean what they say. With eyes that are both open and honest, what, then, do they perceive as Westminster's future role? They are surely under an obligation to tell.

For our part, we do not wish to suggest that Westminster's present role is sacrosanct. We are also well aware of the contention that strong national parliaments have become increasingly inappropriate and that European federation is needed to combat resurgent nationalism, especially in Germany; but we shall not presume in this letter to discuss such weighty and highly contentious matters. Our plea is simply that ordinary people should be fully informed about what is being proposed.

Yours faithfully,
S. E. FINER,
THOMAS WILSON,
1 Chalfont House, The Promenade,
Clifton Down, Bristol, Avon.
October 29.

Euthanasia warning

From Mrs Ann Winterton, MP for Conington (Conservative)

Sir, When *The Times* holds up both the Williams report on pornography and the Warnock report on human embryo research as examples to be followed when "untangling the knots" in "questions of morality" (leading article, October 28), my reaction is one of disquiet. With your commendation that a similar procedure should be followed to enquire into euthanasia, with a moral philosopher as chairman to equal them in stature, my disquiet becomes dismay.

Professor Bernard Williams's appointment in 1977 as chairman of the committee to review the law on obscenity was challenged at that time (rightly, in my view) because he was perceived to oppose the censorship of pornography, and his 1979 report reflected just such a view. Likewise, the report produced by Baroness Warnock in 1984 reflected what was widely believed to

be her own support of the use of the human embryo as a guinea pig, at least in its first few days.

I have no doubt that both Professor Williams and Baroness Warnock are regarded as philosophers of standing. But surely, when considering the matter of euthanasia, we should be alert to Tennyson's warning:

Hold thou the good; define it well;
For fear divine Philosophy
Should push beyond her mark and be
Procure to the Lords of Hell.

May I make the plea: what legislators need is not so much philosophers to chair enquiries, but people of equal stature who may be relied upon to produce factual reports which do not necessarily reflect what are perceived to be their own opinions.

Yours faithfully,
ANN WINTERTON
(Chairman, All-party Parliamentary Pro-Life Group),
House of Commons.
October 30.

Res ipsa loquitur

From Mr Mark Studer

Sir, The plea by the chairman of the Bar Council for Latin to be banned in court (Diary, October 31) itself has a somewhat antique ring. As long ago as 1731 Parliament enacted (4 Geo. 2, c.26) that all proceedings in English courts should be in English only, and not Latin or French or any other language, in order to protect the king's subjects "from the peril of being ensnared or brought in danger by Proceedings in Courts of Justice in an unknown language". Every person offending against the act was to be liable to pay £50 for every offence.

However, lawyers are not so easily parted from their tags. Already in 1733 an amending act (6 Geo. 2, c.14, s.5) provided that no penalty should extend to the expression of "Technical Words in the same language as hath commonly been used". Neither of these statutes now remains in force. Truly a case of *quid custodit ipsos custodes*?

Yours etc.,
MARK STUDER,
11 New Square,
Lincoln's Inn, WC2.
October 31.

Maintaining footpaths

From Mr Walt Unsworth

Sir, How heartening to see your leading article (October 28) so robustly defending our footpaths. At the very least a footpath inspector is required, with real teeth, to administer a sharp bite to those authorities who have been less than enthusiastic in footpath maintenance.

Country walking is now the nation's chief leisure pursuit and any administration which fails to recognise this does so at its peril.

All those feet mean votes, for if they can walk the Pennine Way they can certainly walk to the polling booth when the time comes.

Yours etc.,
WALT UNSWORTH
(President,
Outdoor Writers' Guild),
Harmony Hall,
Miltonthorpe, Cumbria.
October 30.

Letters to the editor should carry a daytime telephone number. They may be sent to a fax number — (071) 782 5046.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 071-782 5000

Changing the law on marital rape

From Dr Jeremy Horder

Sir, Dr A. T. H. Smith (letter, October 26) protests too much at the removal by the law lords of spousal immunity from prosecution for rape. His claim is that the ruling creates a climate of uncertainty in which nobody can say with any precision what conduct is and is not criminal; but that claim is needlessly alarmist for two reasons.

First, the precise scope of the spousal immunity had been unclear before the lords' decision to sweep it away (report, October 24), because of the exceptions to the immunity (as in the case where spouses had separated) that judges had been creating during the course of this century. The law is clearer now that spousal immunity has been removed than it has been for many years.

Second, it is highly unlikely that the lords' decision heralds a new willingness amongst judges to create and extend criminal offences in a manner that should give concern to civil libertarians. The lords were simply taking the all-too-rare step of following the spirit of Blackstone's justly famous injunction, "And if it be found that the former decision is manifestly absurd, or unjust, it is declared not that such a sentence was bad law, but that it was not law".

The lords should be encouraged to make such declarations more, not less often.

Yours faithfully,
JEREMY HORDER,
Worcester College, Oxford.
October 28.

From Mr Robert Egerton

Sir, Francis Beazley (letter, October 30) states that the law lords were entitled to alter the law on marital rape but would not be able to alter the law on blasphemy because the fundamental nature of the Christian religion has not changed. But surely it is society's attitude to marital intercourse without consent that has changed and there has been a similar change in attitude to impious references to the Christian (but no other) God.

More importantly, the law lords have, it seems to me, overruled legislation that Parliament passed in 1976. This said that a man commits rape if "he has unlawful sexual

intercourse with a woman who at the time of the intercourse does not consent to it".

Lord Keith specifically stated that at that date the old ruling that a husband could not be guilty of raping his wife was generally accepted; so if Parliament had intended to change the position, it surely would have added the words "including his wife" or, possibly, "including a wife from whom he is separated".

Five old lawyers may have been right in thinking that Parliament had failed to legislate adequately, and one must marvel at the ingenious legal arguments by which they disguise what they are really doing; but we are in dangerous waters.

Yours faithfully,
ROBERT EGERTON,
Bransfield, 22 Beavers Road,
Farnham, Surrey.
October 31.

From Mr Peter Snow and Mr Christopher Barker

Sir, Article 7 of the European Convention on Human Rights says that no one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence under national or international law at the time when it was committed.

In 1989, when the defendant in the recent much-publicised case committed the "offence" in question, the law must still have been as Sir Matthew Hale stated it: no criminal offence of rape within marriage.

The decision by the law lords appears to fall squarely within the prohibition contained in Article 7. With all domestic remedies now exhausted, the time appears to be ripe for a reference to Strasbourg — with the likely result a rebuff for the British government and an eventual royal pardon for the defendant; a setback, perhaps, for the English tradition of judicial development of the common law case-by-case, but arguably necessary for safeguarding our civil liberties in the future.

Yours sincerely,
PETER SNOW,
CHRISTOPHER BARKER,
The Campaign for Justice
in Divorce,
PO Box 64, Mold, Cwyd.
October 31.

Payment by results

From Mr A. W. Matthias

Sir, Kenneth Clarke's wish to find an appropriate basis for performance-related pay is laudable, but his recent statements on the subject (report, October 25) do not reflect the experience at "the chalk-face".

While the effectiveness of the headteacher and the quality of the teaching are of course very significant influences upon a school's performance (which includes other factors apart from examination results), there are a number of other variables in a complex process.

Pupils are not, after all, lumps of clay, but developing human beings whose motivation, enthusiasm and work-rate may vary for a variety of reasons during the school years. The part played by parents in providing encouragement and support is of crucial importance in determining whether their children will achieve their full potential.

Other relevant factors include the quality of the learning materials, equipment and facilities which heads and governors are able to provide within the funds made available to them.

The importance of the question "What makes a good school?" merits a far more considered response than the secretary of state has so far made.

Yours faithfully,
ALAN MATTHIAS (Headteacher),
Latimer School,
Castle Way, Barton Seagrave,
Kettering, Northamptonshire.
October 25.

Farmers and landscape

From Mr Kenneth Spencer

Sir, In another blow at the farming community (leading article, October 28) you speak of a nation that has subsidised the farmers to wreck the landscape. On my farm in the last 38 years I have planted more hedges than I have removed (and after all I suppose I should have some say in

where they are) and I have planted over 15,000 trees.

It is easy for those with full stomachs to criticise farmers but talking physics to 18-year-olds are of a different order. As someone who took physics both at sixth-form level and at university as a convenient and straightforward way of filling up the timetable, I find it hard to accept that the order of the skills required for such teaching is higher.

For teachers both of seven and 18-year-olds, the essence surely is in planting both the thirst for learning and the skills to do it.

Yours sincerely,
TIM COULSON (Headteacher),
William Tyndale Primary School,
Sable Street, Canonbury Road, N1.

Remember, remember

From Professor George C. Allen

Sir, Mr P. B. Lewis (letter, October 29) regrets the November date of Guy Fawkes Day and bonfire night. But November is surely better than July for bonfires and fireworks; there is more to burn, it gets dark early, and the association of mid-autumn with fire goes back beyond even the middle ages.

Mr Lewis also relegates November 5 to "spillover" Puritans and Roundheads. Yet Guy Fawkes Day celebrates not the Puritans but "gunpowder, treason and plot"; the attempted blowing up of James I and his Parliament in 1605. Here in Lewes the plot's failure seems to have been celebrated since at least 1679, when people attired in clerical robes paraded an effigy of the Pope to burn it.

Bonfire night has continued in Lewes ever since, with processions and dressing up: "bonfire boys", lighted tar barrels and bands were introduced in the early part of the 19th century, and November 5 here has now much in common with a continental carnival, though mercifully shorter. Tomorrow evening the

whole town hopes to enjoy itself and even our traffic comes to a halt. Lewes already has its own Bastille Day.

Yours faithfully,
GEORGE C. ALLEN,
4 East Street, Lewes, East Sussex.
November 4.

From the Reverend P. Barracough

Sir, The Puritans are much misunderstood and frequently maligned. Mr Lewis surpasses most of their other critics in blaming them for "choosing" to celebrate bonfire night in dismal November. Surely Guy Fawkes "chose" the date.

Yours faithfully,
PETER BARRACLOUGH,
The Manse, Central Square, NW11.

From Mr R. Ross

Sir, The appropriate anniversary for a day of rejoicing is not May 25, the day in 1660 on which Charles II landed at Dover, but May 29 (Oakapple Day), the day on which he entered London and the monarchy was formally restored.

From the reign of Charles II until the later part of the last century the Book of Common Prayer included a form of Prayer with Thanksgiving to

Almighty God for having put an end to the Great Rebellion, by the Restoration of the King and Royal Family, and the Restoration of the Government after many Years' interruption, which unspeakable Mercies were wonderfully completed upon the Twenty-ninth of May, in the year 1660. And in Memory thereof that Day in every Year is by Act of Parliament appointed to be for ever kept holy.

Yours faithfully,
R. ROSS,
The Garden House, Evesbatch,
Bishop's Cleeve, Worcester.

From Mr W. P. Martin

Sir, I suggest June 14, 1645, and the glorious victory of Cromwell's Roundheads at the battle of Naseby — the turning point of the Civil War, that secured liberty and democracy for the English people. Let us not forget the establishment of parliamentary supremacy over a feudal monarchy based on a system of divine right.

Yours sincerely,
W. P. MARTIN,
130 High Street, Newchapel,
Stoke-on-Trent, Staffordshire.

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COURT CIRCULAR

BUCKINGHAM PALACE
November 4: By command of The Queen, the Earl of Strathmore and Kinghorne (Lord in Waiting) was present at Heathrow Airport, London this morning upon the departure of the Governor-General of Barbados, and bade farewell to Her Excellency on behalf of Her Majesty.

BUCKINGHAM PALACE
November 4: The Duchess of York this morning attended the departure of the "Dream Flight" at Technical Block A, British Airways Centre, Heathrow Airport.

BUCKINGHAM PALACE
November 4: The Prince Edward, Trustee of The Duke of Edinburgh's Award International Foundation, today attended a lunch given by Sir Nigel Moles in support of the World Fellowship at 40 Charles Street, London W1.

BUCKINGHAM PALACE
November 4: The Princess Royal, President, Riding for the Disabled Association, visited

Burgie House, Forres, for a joint presentation by Forres, Forre, Ogilvie School and Buckie Groups and was received by Her Majesty's Lord-Lieutenant for Morayshire (Sir Iain Tennant, KT).

CLARENCE HOUSE
November 4: Queen Elizabeth The Queen Mother this afternoon visited the Penny Royal Almshouses in Old Windsor and opened the restored buildings.

KENSINGTON PALACE
November 4: The Princess of Wales, Patron, Help the Aged, attended the Golden Awards Lunch at the London Hilton Hotel, W1.

WING
Commander David Barron, RAF was in attendance.

Today's royal engagements

The Queen will hold an Investiture at Buckingham Palace at 11.00, and will present the 250,000th car adapted for mobility for a disabled person at Buckingham Palace at 4.00.

Queen Elizabeth the Queen Mother will visit the Royal College of Music at 3.30.

The Princess of Wales, as Patron of Headway National, will visit the Wolfson Rehabilitation Centre, SW20, at 10.25; and, as Patron of the English National Ballet, will attend a performance and dinner at Kensington Palace at 7.45.

Princess Margaret, as Grand President of the St John Ambulance Association and Brigade, will visit the offices at 1 Grosvenor Crescent, SW1, at 2.10.

The Duke of Gloucester, as President of the British Consultants Bureau, will attend the annual meeting at the RAF Club at 10.30.

The Duchess of Gloucester, as Patron of the National Listening Library, will attend the annual meeting at Drapers' Hall at 4.55.

The Duchess of Kent will open the Parkside Health Authority's new medical centre in Paddington, at 2.30; and, the Patron of the Cancer Relief Macmillan Fund, will attend a preview of the Christmas Market at Horticultural Hall, Vincent Square, SW1, at 6.30.

Colfe's School

Prince Michael of Kent will be the guest of honour at today's prizegiving and Speech Day. He will also open the Newton Sports Centre, which is the latest phase in the school's long-term development plan.

Farleigh School

The Governors of Farleigh School are pleased to announce that Mr John Murphy has been appointed Headmaster of the School with effect from September 1, 1992, on the retirement of Mr Francis Floyd.

Appointments

Legal
Mr Michael Connell, QC, to be a Justice of the High Court, assigned to the Family Division.

Mr John Hall, QC, to be a Circuit Judge assigned to the South Eastern Circuit.

Mr Ian Gillespie to be a Provincial Secretary Magistrate in the West Midlands Commission Area.

Mrs Sally Friend and Mr Christopher Heaps to be members of the Council on Tribunals and of its Scottish Committee.

Other appointments
Mr Roger Young to be Director General of the British Institute of Management.

The following to be members of the Council of the Tavistock Institute of Human Relations: Louis Blom-Cooper, Isabel Maudslayi, Brian Smith, Professor Robert Wessely.

Mr Harry Cayton to be Director of the Alzheimer's Disease Society.

Forthcoming marriages
Mr J.R.H. Best-Shaw and Miss C.L. Ashley.

The engagement is announced between James, elder son of Mr and Mrs Stephen Best-Shaw, of Boxley Abbey, Kent, and Lotie, younger daughter of Mr Nigel Ashley, of Milas, Spain, and Mrs Penny Ashley, of 50 Trinity Street, Salisbury, Wiltshire.

Mr J.D. Chadwick and Miss A.F. Eaves.

The engagement is announced between Jason, only son of Mr and Mrs D.B. Chadwick, of Plesington, Lancashire, and Alison, younger daughter of Mr and Mrs A.N. Eaves, of Cady, Wiltshire.

Mr R.A. Chambers and Miss A.V. Baddley.

The engagement is announced between Brian, elder son of Mr and Mrs D.B. Chambers, of Rutherford, Victoria, Australia, and Anna, daughter of Sir John Baddley and Lady Baddley, of Storrington, Sussex.

Dr A.P. Cope and Miss E.H. Pates.

The engagement is announced between Andrew, son of Mr and Mrs Paul Cope, of Locks Heath, Southampton, Hampshire, and Emma, younger daughter of Major General and Mrs Douglas Pates, of Camberley, Surrey.

Birthdays today

Mr R.W. Anand, VC, 77; Sir John Birt, former BBC Director General and Treasury Solicitor, 63; Viscount Bangor, 86; Mr John Berger, author and art critic, 65; Mr E.H.H. Bowring, insurance broker, 76; the Right Rev. F.W. Coles, former Bishop of Shrewsbury, 78; Mr Art Garfunkel, singer and composer, 50; General Sir John Hackett, 81; Mrs Caroline Hackett, MBE, 45; Dr Paul Knapman, coroner for Westminster, 47; the Rev Professor John Marsh, former principal, Mansfield College, Oxford, 87; Mr Nicholas Maw, composer, 56; Mr John Morris, QC, MP, 69; Mr Lombardo Band, leader and racehorse trainer, 36; Rear Admiral Andrew Richmond, executive director, RSCPA, 60; Lord Stallard, 70; Mr Ned Temko, editor, *Jewish Chronicle*, 59; Mr A. A. Tennant, chairman, Guinness, 61; Sir Reginald Verdon-Smith, former chairman, BAC, 79; the Earl of Yarborough, 28.

Anniversaries
BIRTHS: James Beattie, poet, Laureate, Kirkcaldy, 1735; Washington Allston, painter, Brook Green, London, 1795; James Elroy Flecker, poet, London, 1884; John Burdon Haldane, physiologist and geneticist, Oxford, 1852; Vivian Leigh, actress, Darjeeling, India, 1913.

DEATHS: Karel Macháček, Czech poet, 1836; Angelica Kaufmann, painter, Rome, 1807; James Clerk Maxwell, physicist, Cambridge, 1879; August Weismann, biologist, Freiburg im Breisgau, 1914; Christian Bjerkman, physician, Nobel laureate 1929, Utrecht, 1930; George M. Cohan, actor and song writer, New York, 1942; Mack Sennett, Keystone Cops creator, Hollywood, 1960; Guy Lombardo, band leader, 1977; Jacques Tati, actor and film director, 1982; Eamon Andrews, broadcaster, 1987.

Arbitrators' Company
The following have been elected officers of the Arbitrators' Company for the ensuing year: Master, Mr Ronald H. Mildred; Senior Warden, Anthony Philip Borley, QC; Junior Warden, Philip Borley, QC.

Marriages
Mr R.S. Le and Miss S.L. Taylor.

The marriage took place on Saturday, October 26, 1991, at Cairns Church, Milngavie, Glasgow, between Ronald Scott, only son of Mr and Mrs Stuart Law, Colinton, Edinburgh, and Sarah Lucy, younger daughter of Dr and Mrs A.B.M. Taylor, Milngavie. The Rev J. Roy H. Paterson officiated.

Commander P.C. Ruhl, USN and Miss N.C. Nelson.

The marriage took place on October 3, in Tucson, Arizona, of Philip Calvin, son of Mr and Mrs Robert Ruhl, of Tucson, to Nina Clare, daughter of Dr Patrick Nelson and the late Dr Patrick Nelson, of Tucson, Arizona. They will be living in Lerici, Liguria.

Mr M.T. Graham and Miss R.A. Simmons.

The engagement is announced between Toby, son of Mr John Graham and the late Mrs Graham, of Langley Hall, Cheshire, and Annie, younger daughter of the late Mr Gordon Simmons and the late Mrs Hamilton-Wilkes, of London.

Mr C.E.R. Greenway and Miss L.C. Mather.

The engagement is announced between Robin, son of Mr Ted Greenway, of Little Budworth, Cheshire, and Mrs Audrey Hamilton, of Chester, and Lucie, younger daughter of Mr and Mrs John Mather, of Whitegate, Cheshire.

Mr F.G. O'Donnell and Miss J.L. Duckworth.

The engagement is announced between Ian, elder son of the late Mr Bernard O'Donnell and of Mrs Joan O'Donnell, of Canterbury, and Jacqui, youngest daughter of Dr and Mrs Gerald Duckworth, of Hampstead Garden Suburb.

Mr M. Wagstaff and Miss A. Edwards.

The engagement is announced between Mark, son of Captain and Mrs John Wagstaff, of Ashington, Devon, and Anne, daughter of Mr and Mrs John Edwards, of Ighiteam, Kent.

OBITUARIES

MOND BLACKBURN

Albert Raymond Blackburn, former Labour MP and campaigner against pornography and gaming abuses, died on November 3 aged 76. He was born on March 11, 1915.

RAYMOND Blackburn's life encompassed Parliament, prison, periods of wild drunkenness, sobriety, conducted campaigns of great tenacity, seemingly incessant litigation, and an unlimited capacity for self-destruction together with talents which fleetingly caused him to be spoken of as a possible future prime minister.

Churchill, who went out of his way to praise his maiden speech, was aware of his potential and described him as "a man of perfect independence and a law unto himself." This judgment was delivered in 1951 and it remained true of Blackburn until he died.

He was the son of Dr Albert Edward Blackburn, of Bournemouth, and was educated at Rugby and London University, where he gained the Newton prize of the Law Society. He was admitted a solicitor in 1937 but had only a short time to practise as he volunteered for the army on the day war was declared. He served from 1939 to 1945, taking time off from his military duties in 1943 for an unsuccessful fight as the Commonwealth candidate at the Watford by-election.

Captain Blackburn — he retained his military title for years afterwards — joined the Labour party while still in uniform and he succeeded in obtaining the nomination for the Birmingham Northfield constituency. This was a previously solid Tory seat but he defeated the sitting MP by more than 12,000 in the Labour landslide of 1945. This election, like the 1918 khaki election, swept many young officers into Parliament, but on this occasion a fair number came to sit on the Labour benches. None made a better impression with his maiden speech than Blackburn.

In the Commons he concentrated on foreign affairs and the then novel subject of atomic energy. He was informed, energetic and a striking figure with his shock of prematurely grey hair, soon to turn completely white. His party leaders smiled on him — but not for long. An early rebellion against the American loan was followed by a more serious deviation when he voted against the government on an important bill



which he considered would involve direction of labour. He became increasingly critical of Labour policy and there were clashes with his constituency association though he managed to fight off criticism and retain his seat in 1950. Almost immediately, however, he resigned from the Labour party and sat as an Independent MP before deciding not to fight the 1951 election. He said he believed more socialism would be a disaster and urged his supporters at Northfield to vote for Churchill.

But his seat stayed with Labour and he was never to have political influence again. He had been drinking heavily while he was an MP and he

did so in his new life outside politics. His business affairs, his first two marriages and his whole life turned sour. There were frequent appearances in court — for drunkenness, for domestic troubles, and for failing to attend his examination at the Bankruptcy Court. In 1955 came worse. He was sent to prison for two years on charges of conspiracy concerning property company shares. He represented himself at the Central Criminal Court and his concluding speech lasted seven hours but failed to convince the jury.

After he was released from prison he married for the third time in 1959 and his wife, Tessa, a 19-year-old

actress, brought some stability into his life. His marriage helped give him a new sense of direction in which he fought to regain his reputation, by campaigning against what he saw as failure by authorities to uphold the law — something for which, in spite of his record and because of his legal training, he professed respect. He wrote a book, *I am an Alcoholic*, frankly admitting his problem and giving advice to others. It did not prevent other court appearances for drink offences over the years though for long periods he managed to avoid alcohol.

It was in the 1960s that he began challenging the legality of the "poff" system of roulette being played at many of the big gaming clubs. At one point he took the Metropolitan Police Commissioner to court and secured an undertaking from him to withdraw a policy directive not to apply the law on games of unusual chance. In one fortnight three of London's major gaming clubs were convicted of unlawful gaming as a result of his private summonses. He was never a serious gambler and he said his actions were based on his belief that there were laws they must be enforced. He turned his attention to what he believed was pornography in the 1970s. He had a famous victory over the GLC on the issue in which it was exercising its powers of film censorship and he had other successes against cinemas showing films which he maintained were indecent.

He was a persistent litigant. At different times he mounted actions of one kind or another against the BBC, the Press Council, successive Metropolitan Police Commissioners, Lord Hailsham and the publishers of the Channon diaries, with varying degrees of success. He usually represented himself though he had long since been struck off as a solicitor.

He was married three times: to Barbara Mary Robinson in 1939 (marriage dissolved 1954); to Marianna Ferguson in 1956 (marriage dissolved 1959); and to Tessa Hume in 1959. There are a daughter and two sons of the first marriage, one of them Robin Blackburn, the left-wing academic and author. By his wife, Tessa, who survives him, he had three daughters and two sons.

IF EVER two talents found themselves in ideal complement, it was in the marriage of Sylvia Fine and Danny Kaye. Fine, with her sharp wit and equally sharp rhyming skills, provided the musical ammunition that made her husband one of the best loved screen performers. Audiences unravelled at the complexity of such songs as "A Little of Paris," "The Lobby Number," and "Soliloquy for Three Heads," — sung by three mirror images in *The Inspector General* — and probably no-one but Kaye could have sung them.

They met at a summer camp in Pennsylvania, where Fine was helping to stage skits. In addition to Kaye, her fellow performers at the camp included Inezita Coca and Max Liebman, and while there she began to write specialty material for them.

In 1940, those sketches — including a Yiddish version of Gilbert and Sullivan's *Mikado* for Kaye — were grouped together and staged on Broadway as *The Straw Hat Revue*. It was the start of Fine's professional career, and the beginning of a marriage which lasted until Kaye's death in 1987 at the age of 74.

Their Hollywood collaboration began in 1944 with *Up in Arms*, and continued with the successful production of *Wonder Man* (1945), *The Kid from Brooklyn* (1946), *The Secret Life of Walter Mitty* (1947), *The Inspector General* (1949), and *The Court Jester* (1956).

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In the 1970s Fine embarked on a separate career as a television producer and teacher, teaching musical comedy at the University of California and Yale. She turned the course into a 90-minute programme for public television in 1979 and won a Peabody award.

Towards the end of her life she wrote *Fine and Danny*, an account of her marriage to Kaye.

SYLVIA FINE KAYE

Sylvia Fine Kaye, lyricist and composer, died of emphysema at her Manhattan home on October 28 aged 76. She was born in New York on August 29, 1915.

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SIR JOHN SPENCER WILLS

Sir John Spencer Wills, former chairman of BET, died on October 28 aged 87. He was born on August 10, 1904.

TRANSPORT and television were the twin themes of Sir John Spencer Wills' career. On the basis of a personal advertisement in *The Times*, he became involved in the development of trams and buses through British Electric Traction, now known as BET.

After the second world war his entrepreneurial instincts led him to transmute BET's colonial broadcasting operations into one of Britain's first independent television franchises.

Although that industry became famously known as a licence to print money, it has been widely forgotten that the early years were a period of considerable losses and uncertainty. It was only the determination of Wills and a few others that saw independent television through to the position it later achieved.

John Spencer Wills was born in London, Wills and Cecil Drayton, Wills senior was an Australian who had arrived in England towards

the end of the 19th century and married in 1903. But they divorced in 1908 and Cecil was left to bring up her two children.

Young Wills attended Clebury Mortimer College, a modest preparatory school in Shropshire, and Merchant Taylors. His mother financed his education from her income as a clerk at the Dubrovnik Bank in Pall Mall. But she was unable to see her son's schooling to a conclusion. He had to leave early and find a job. His advertisement in *The Times* was answered by Emile Garche, a German-born businessman who founded British Electric Traction to convert horse-drawn buses to electric power. By the time Wills joined the company it had progressed to internal combustion engines.

He worked for several of BET's local bus subsidiaries round the country in the 1920s and 1930s. In 1936 he married Garche's daughter, Elizabeth, and joined the main board in 1939, becoming managing director in 1946. At its height, BET controlled 9,000 buses.

But in 1947 the Attlee government was threatening nationalisation. Wills, unsure



of his future, was approached by Rediffusion, a cable broadcasting company with interests in the UK and several British colonies. But, in the midst of these discussions, the nationalisation threat was lifted. Instead, BET bought Rediffusion.

That became the basis of BET's involvement in independent television. It was encouraged by the government to apply for a franchise, but Wills initially resisted because BET lacked the ability to make programmes. However, he had met the second

Viscount Rothermere, chairman of Associated Newspapers, at the Derby eve dinner in 1953. Their companies' expertise complemented one another, and the following year they agreed to make a joint franchise application. In October 1954 Associated-Rediffusion won the London weekday franchise.

However, within two years A-R's losses reached £2.7 million. Despite Wills' protestations, Rothermere wanted out. He sold most of Associated's interest for £1.65 million. A month later, A-R turned into profit.

The late 1960s were a period of turmoil for BET. Wills became chairman of BET in 1966. But in 1967 A-R lost its franchise, due partly to ill feeling between Wills and Lord Hill, the then chairman of the Independent Television Authority. Wills wrongly assumed that, as with bus licences, the franchise renewal should be automatic.

A year later the Labour government nationalised the bus industry, realising Wills' fear of 20 years earlier. He invested the proceeds in a series of diversifications which laid the foundations for

BET's present position as a provider of business support services. But the group retained its interest in television through a holding in Thames, which lost its franchise only last month.

Wills was knighted for his contribution to industry and the arts in 1982. He stepped down as managing director of BET in 1973, retiring from the board in 1982. He was a trustee of the London Symphony Orchestra, a member of the council of the Royal Opera House, a governor of the Royal Shakespeare Theatre and vice-president of the Theatre Royal, Windsor.

His decisiveness and foresightedness were vital factors in BET's success. But he never lost his shyness, nor his caution in regard to money — both legacies of his uncertain childhood. He disliked public speaking and requested that no memorial service be held in his honour.

Wills is survived by his widow and two sons. Colin has been a director of Thames Television and Euston Films, while Nicholas succeeded his father as chairman of BET.


DINNERS

guest of honour and speaker and Dr Angus Hawkins also spoke. Mr Anthony Caribon, chairman of the branch, received the guests.

Lord Minton of Lindisfarne, Lord Merton of Lindsay, were the host at a dinner of the Diocesan Club held last night at the House of Lords. Mr Michael Jopling, MP, was the guest of

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6.00 TV-am
9.25 Jeopardy! Quiz show **9.55 Thames News** and weather
10.00 The Time ... The Place ... Topical discussion programme (s)
10.40 This Morning. Derek Jamieson and his wife Ellen settle into their one-week presentation of the family magazine programme. Including at **10.55 News** headlines, and at **11.55 Thames News** and weather **12.10 Rod, Jane and Freddy.** *Children's series (r)*
12.30 News with Nicholas Owen (Oracle) Weather **1.10 Thames News** and weather
2.10 Home and Away. (Oracle) **1.50 A Country Practice** (s)
2.20 Take the High Road. Drama in the Scottish Highlands
2.50 Talkabout. Andrew O'Connor hosts the fast-talking quiz show **3.15 News** headlines **3.20 Thames News** headlines
3.25 Families. Anglo-Australian drama series (s)
3.55 Children's ITV beginning with *Hot Dog.* Adventures with the canine puppet **4.05 Rupert.** Cartoon (r) **4.30 Children's Ward. Hospital drama. (Oracle) (s) **5.00 Foghorn Leghorn. Cartoon (r)
5.10 Blockbusters. Bob Holiness hosts the quiz for teenagers
6.40 News with Carol Barnes (Oracle) Weather
5.55 Thames Help. Jackie Sprackley with more ideas for free entertainment in London
7.00 Home and Away (r) (Oracle) **6.30 Thames News.** (Oracle)
7.00 Emmerdale. (Oracle)
7.30 Thames Reports: Danger on the Road. Sue Crabtree investigates the lack of government legislation to deter accidents on women using London's minibuses
8.00 The Bill: A Question of Confidence. Drama with the Sun Hill bobbies. DI Burnside (Christopher Ellison) investigates a series of attacks on prostitutes. (Oracle)
8.30 The Upper Hand. Ration of the entertaining comedy series about a male housekeeper's relationship with his female boss. Starring Joe McGann, Diana Weston and Honor Blackman. (Oracle)
8.00 Boon: Lost on the Range. Watchable comedy drama series starring Michael Elphick as the glibbie private detective. A prize stallion is stolen With Angharad Rees. (Oracle)
10.00 News at Ten with Alastair Stewart and Julia Somerville. (Oracle) Weather **10.30 Thames News** and weather****



6.90 **Down to Earth.** The archaeology magazine gives a not-so-holier-than-thou image of ancient monastic life. (Teletext) **P**

9.00 **Wish You Were For Me or Money.** The Turner Prize 1989 CHOICE: Nigel Wadcock offers a recent assessment of four artists short-listed for the influential £20,000 Turner Prize. Anish Kapoor is the favourite, aged 37 and an established stone-cutter, he delights in removing the insides of rocks in order to "demonstratise" them. Personally, I am more impressed with Rachel Whiteread. Born in 1963, she is a sculptor who specialises in making casts of the spaces within things rather than around them. This concept is first explained to us with the aid of a plaster-cast of a water bottle but her most spectacular work to date has been a cast of a whole port. The two other "new kids on the block" are Fiona Rae, also born in 1963, and consistently dubbed "willy", even though no-one can understand what her apathy, allusion-packed abstract paintings are about and, finally, Ian Davenport, born in 1968 and a whizz with pots of household paint poured onto canvases. It is a well-made programme showing the works to their best advantage and skilfully interweaving comments from both artists and critics. The award presentation will be broadcast live on November 22.

10.00 **Films: Agnès Varda: Rock (1967).** Made-for-television drama, based on the real-life 1948 break-out attempt by six inmates from Alcatraz prison in San Francisco bay. Starring David Carmine, Richard Dysart, Dennis Farina and Charles Hall. Directed by Paul Wendkos.

11.56 **Empty Nest: Setting.** Genial American domestic comedy series about a recently widowed paediatrician (Richard Mulligan) as he

12.00 **Second Time Around.** The pioneers of Motown, including the Supremes, Carolyn Crawford and Kim Weston, reunite to talk about their music, the record label and their own careers.

1.10 **Comic Strip: The 1980s.** A look at the decade of the catchphrase, the controversial hip singer, recorded in concert (1). Ends at 2.10



One more victim: a report on the Berlin Wall deaths (10.40pm)

10.40 First Tuesday: After the Wall
 ● CHOICE: With the new Germany this week celebrating the second anniversary of the fall of the Berlin Wall, *First Tuesday* discovers the human stories behind the statistic that between 1961 and 1989 more than 200 people were killed on the border. There are times when the film-makers seem morbidly intent on lapping up the tears of the grieving relatives, but the most remarkable feature of the programme is the interviews with guards who have come forward to confess their part in the "elimination" of escapees. One seems matter-of-fact; he describes how he later realised it was not very nice watch as a commendation for doing his duty (in fact he was drunk the night he pulled the trigger). But another confesses: "I always think about it, that I shot a person. I don't think I'll ever come to terms with it." Incredibly the same man is shown meeting the sons of the man he killed. It is an exceptionally painful scene to watch, for though he craves forgiveness, one of the brothers still looks at him with barely disguised hatred. (Crackle)

1.40 Prisoner: Call Block it
 12.30 Video View: Mariella Frostrup presents a horror edition, including *Psycho IV - the Beginning*, Jackie Foster talking about *Silence of the Lambs* and Stephen King's *Graveshift*

1.00 The Equalizer: Lady Cop, Starring Edward Woodward (r)
 2.00 Donathea: Phil Donathea hosts a discussion on the flames

2.50 Nile Bites, Ribbon sandwiches and curled lads with minge tout
 3.00 60 Minutes: American news programme

4.40 Entertainment UK: Weekly gossip and entertainment in Britain
 5.00 *Ther's Company: The Brunch*, Jack's liquor licence is revoked
 5.30 *Top Member News* with Phil Roman. Ends at 6.00

SUCKY ONE

Via the Astra and Macropolo satellites.
10.00am The DJ Kar Show 8.40
The Young Lovers 9.10
Newsworld 9.30 Newsday 9.10 Carlton
Eid 10.00 Monday 10.30 The Young
Lovers 11.00 The Bold and the Beautiful
11.30 The Young and the Restless 12.50pm
Saturday Jones 1.30 Another World 2.40
Santa Barbara 2.45 Wife of the Week 3.15
The Brady Bunch 3.45 The DJ Kar Show
4.00 The Different Strokes 5.30 Newsworld 6.00
Family Ties 6.30 One False Move 7.00 Love
America 7.30 7.30 Baby Talk 8.00 Joe and
the Girl at First Sight 10.30 Newsworld 11.00
Police Story 11.00 Mommies

SKY NEWS

Via the Astra and Macropolo satellites.
Starts on the hour.

8.00am Newsday 8.30 Sky News Daytime
10.30am Beyond 2000 11.30 Sky News Daytime
12.30pm CBS News Prime 1.31 CBS News
Prime 2.25Q Our World 5.30 Our World
Countrywide Show 4.30 Beyond 2000 8.00
Love at First Sight 8.30 Newsday 10.30
Newsline 11.30 CBS News 12.30am

SKY MOVIES+

casts twice in a serial vigil
4.25 My Name Is Bill W (1989): James
Wood stars as Bill W., an alcoholic who
struggles to reform. With James Garner, Linda
Björk.

THE MOVIE CHANNEL

Via the Astra and Macropolo satellites.
6.15am Harry and Walter Go To New York
(1976): James Cagney and Elliott Gould star as
comics who attempt to become animals.
8.15 Strange Brew (1983): A pair of drinkers
attempts on a brewery's plant to take over the
world.
10.10 Just Say the Way You Are (1964): Kristy
McNicol plays a girl with a crippled foot
and her mother.
12.15pm Rope of Sand (1944): Bart
Learmore in a desert adventure.
2.15 To Sir With Love (1967): Steve Porter
stars as a teacher at an inner city school.
4.15 Ninja The Wonder Boy (1980):
Armand strong as boy becoming a ninja
master.
6.15 Dreamer of Oz (1960): Eloisa about L.
Frank Baum, the writer whose first book
inspired the film The Wizard of Oz.
8.15 Pletch Lives (1959): Chevy Chase as
the journalist and master of disguise
10.15 The Love of Henry (1989) As Pachel
plays a pious cop who falls in love with the chief
suspect in a murder case (Elain Barón)
12.00am Gunga (1989): The movie monster
capt. Eugene Louis directs

Featuring the West 4.00 Kick 5.00 American
 Sports Magazine 5.00 India Ocean
 Football 6.00 Survival of the Fittest 8.00
 The Footballs' Football Show 10.00 Ringdiers
 10.00 The Footballs' Football Show
 10.00 German Touring Cars 2.00 Close

EUROSPORT

• Via the Astra satellite.
 1.00pm Golf World Cup Rome Italy 2.00
 3.00pm Newcastle 5.00 Tennis Peter
 Open First 5.00 Football Euro Goals
 Magazine 6.00 Europapokal Altbereit 6.00
 7.00pm Hamilton New York 8.00 Live Cycling 11.00
 12.00pm Magazine 11.30 European News
 12.00 Close

SCREENSPORT

• Via the Astra satellite.
 1.00pm Europe 2.00 Powerboating
 Documentary 3.00 Best of British Motorsport 5.00
 Winter Sportsweek - Olympia 9.30
 10.00pm 10.00 Top Tank Boating 11.00
 12.00pm USA Tour 1991 1.00pm Powerboat 2.00
 2.00pm Europe 2.00 International Trampoline 3.00

Sport de France 3.30 Horse Sport 4.00 The
 Best of US Jockey 5.30 Fyrted Sverige
 Highlights 8.00 Pro Superstrier 9.01 8.30
 Longitude 9.00 Ladies Pro Bowlers 9.00
 1991 Irish Canal GT 9.00 Motorcycle
 Sco (live) 11.00 Snook Club Ten Pin
 Bowling 11.00 World Snooker 1.00pm Close

LIFESTYLE

• Via the Astra satellite.
 10.00pm The Great American Gameshow
 10.00 Coffee Break 10.55 Everyday World
 on 11.25 Week with 11.00 Study Seal Jesse
 Michael 12.00pm Body Talk 12.55 Seal
 for Tomorrow 1.30 The Rich Also Cry 2.30
 Lifestyle Plus 2.30 Cyt Fletcher's Lifestyle
 Garden 2.55 Paris 3.50 The Break 4.00
 WSP in Christchurch 4.30 The Great American
 Gameshow 5.25 Lifestyle of the Rich and
 Famous 6.00 The Sell-A-Vision Shopping
 Programme 10.00 Close

MTV

• Via the Astra satellite.
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THE AMUSE CHANNEL

• **5 Via the Astra satellites.**
4.00pm Punky Brewster 4.30a Perfection
Jungle 5.00 The New Leave It To Beaver
5.30 Greasecars 6.00m Here's Lucy 8.30a
Trop 7.00 McLean's Nelly 7.20 The
Night Court 8.00m The 11th Hour
8.30a Night Court 9.00m Hogan's Heroes 9.30a
Here's Lucy 10.00m Courtroom 2 & Warner
Bros. 10.30a The 11th Hour 11.00a The 11th
Hour 11.30a Laugh In 12.00m Clocks

SKY SPORTS

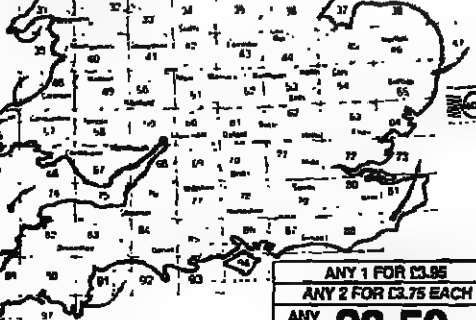
• **5 Via the Astra and Mercepoc satellites.**
1.00pm The 11th Hour 1.30m The 11th Hour
Super Trop 8.30m Trop World 9.00m
Aerobics 9.30m World of Adventure 10.00m
10.30m The 11th Hour 11.00m The 11th Hour
12.00m Newsbusters 12.30pm WWF Wrestling
Challenge 1.30m British Rugby League 3.30m

RADIO 1

FM Stereo and MW, 6.00am Simon Mayo 9.00
Simon Mayo: 12.50pm Newsbeat 12.45 Lay's
Do Lunch, with Gary Davis 3.00pm Nicky
3.30m Matchmaker's Evening Service 8.00a
Tut 11.00m 12.00m-4.00m Bob Harris (FM only)

RADIO 2

FM Stereo 6.00am Ken Bruce 7.30
Derek 9.30am John Wynn 11.00m Jimmy
Young 1.05pm David Jacobs 2.00m Gloria
Angela 3.00m The Law 3.30m The Law
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T1M 116

Penalties will be tough on joyriders

By Philip Weister
CHIEF POLITICAL
CORRESPONDENT

JOYRIDERS will face an automatic driving ban of at least a year, unlimited fines and up to two years in prison under legislation to be brought forward shortly by the government.

Courts are also to be reminded of their powers to confiscate vehicles used to drive joyriders to the scene of their crimes. The measure is being rushed forward and is expected to become law, with Labour co-operation, early next year.

Kenneth Baker, the home secretary, will today confirm that the government is introducing the bill and not leaving it to private members' legislation. It is understood that the reason for its omission last week from the Queen's speech was that the bill is still being drafted and had not been approved by the cabinet's legislation committee, usually required before a bill can be referred to the Queen's speech.

Senior ministers say the drafting is now almost complete and that the bill will go before the committee within weeks. It could be introduced into parliament before Christmas and ministers believe it is certain to become law before the general election.

Ministers are searching for an appropriate definition for the offence. The plan to call it the "aggravated criminal taking away of a car" is likely to be dropped in favour of something more punchy. The tough penalties are intended to show the government's determination to clamp down on the offence.

The bill will make plain that the new penalties will apply to cases of taking away cars where there is damage to the vehicles or property or injury to people. Ministers expect the automatic driving ban to be a deterrent. Courts have powers to impose disqualifications in taking-away cases, but often impose only minimal terms. The unlimited fines provision is aimed at wealthier offenders.

John Patten, the home office minister of state who is steering the bill through the Commons, is expected to tell courts to use their powers of confiscation. Under present law, a car taken away to be driven at a joyriding venue is being used in the commission of an offence, and liable to seizure. The new offences will be triable in crown courts.



Skeleton staff: Gary Smart, grandson of the circus founder Billy senior, with some of the props his family has collected over the past 50 years. He hopes to open a museum at Walberton, West Sussex, to recreate the atmosphere of the big top and life under canvas

Manila return of the Iron Butterfly

Continued from page 1

lobby trying to restrain ebullient posses of "blue ladies", Imelda's old support network, who had spent much of the good old days on champion shopping sprees with the acquisitive first lady.

Decked out yesterday in their best cocktail dresses and barely able to contain their excitement, these elegant women surged forward, abandoning all dignity, snatching manicured nails and snapping off stiletto heels as they clambered on to flower pots or launched themselves into the crowd to catch a glimpse of their returning heroine.

Mr Marcos, pawed from all sides by her effusive friends, swept through the lobby and up into the seclusion of the top floor \$2,000-a-night Imperial Suite, where she swapped her sweat-soaked white outfit for a fresh purple one, remoulded her hair and then summoned her late husband's faithful retainers.

The former security chief, former cabinet minister, the former speaker in the senate, and other selected loyalists from the old Marcos administration gradually made their way up to the marble-floored suite where waiters circled

with cocktails and pop music set the tone of jubilation.

Mrs Marcos sauntered regally around her rooms, offering a powdered cheek for kisses from fluttering blue ladies and slapping her elderly male political friends on the back, exclaiming: "I told you I would come back." Many urged her to think about running for president in next May's elections. "She should interpret this wonderful welcome as an endorsement," said one man.

But Mrs Marcos was playing down her political ambitions in public. At an afternoon press conference, she claimed to have no po-

litical agenda, saying that her current objective is to repair the body of her "beloved husband Ferdinand", a glory denied her by President Aquino, apparently fearful of political instability.

Flanked by her son Bong Bong, aged 34, and the American lawyer who successfully fought off her corruption and tax evasion charges in New York, she delivered a vintage performance of Filipino political posturing, bowing, waving and sobbing at the press in a room packed with her banner-waving supporters. "I have come through a nightmare of pain, of punish-

ment and anxiety... Facing the mightiest sword of justice [in the US], I was alone, widowed and orphaned from all of you, with only God and my conscience as witness, and the truth prevailed."

A rousing chant of "We love you" rose from among the Marcos faithful, and she acknowledged her supporters with a lifting rendition of a love ballad in her native Waray dialect. The press conference effectively abandoned, thousands of supporters disappeared to party into the night, flushed with visions of a glorious new Marcos era.

Leading article, page 17

Bill Roache's £50,000 libel award

Continued from page 1

awarded by the jury matched the amount offered previously. Mr Roache should pay the bulk of the trial costs. Charles Gray, QC, for Mr Roache, said his client was correct in refusing the offer and enduring a "very public" trial because *The Sun* refused to give an undertaking that it would not repeat the libel.

Mr Justice Waterhouse decided that costs, estimated at

£240,000, should be paid by the defendants. He also granted an injunction against *The Sun* over repeating the libel. Mr Eady said afterwards he would appeal against the granting of the costs.

Outside the court, with his wife beside him, Mr Roache's first words, "We have won" were barely audible above the noise of cameras clicking and reporters shouting questions. He said: "Sara and myself

have been through hell and back, quite honestly, and I don't think it was right to have gone through what we have gone through to justify our good names."

A legal spokesman for *The Sun* suggested afterwards that Mr Roache should have taken the £50,000 offer rather than continue with his libel action.

Photograph, page 3

Haunted by dull loser, page 3

Hurd leads attack on Eurocrats

Continued from page 1

vocated signing a treaty on monetary union, counselling that "a crude no to the EMU treaty would be pointless". The real shot and shell should be reserved for the political union treaty.

Echoing Mr Lawson's assessment, Mr Tebbit said that a single currency would mean that countries were no longer in control of their own budgets and interest rates and would see their destinies governed by people overseas. He insisted that it would be patriotic to fight the Maastricht treaty, and predicted that if John Major refused to sign, he would make victory for the government at the next election almost certain.

Mr Hurd's differences with his colleagues over immigration policy extended to the enlargement of EC powers to cover tourist visas within the Community, an issue on which he was isolated. He also opposed treaty changes on social and labour law.

CBI voice, page 2

Letters, page 17

CBI conference, page 25

By-election sketch

Over-egging the birthday cake

STUNNING by-election victories are like Chinese magic: satisfied at first, you soon have to have another. Labour swept all before it in the summer — so simply to win in Hemsforth now will not be enough. If today's triumph is more modest than yesterday's, then hacks say the momentum has gone. A cruel business.

But strangely addictive. What else would have drawn Michael Meacher from his cot in the small hours of a grey November Monday morning, to battle his way through the dawn sleet to Hemsforth, there to star as a special guest at a 9am press conference?

Yesterday was his birthday. "Happy Birthday Dear Michael," we sang, in a glorified hut next to the Ackworth Moor working men's club. Guests included the gruff schoolmasterish Labour candidate, Derek Enright, apparitions from Walworth Road, and a few bleary eyed hacks. Some perfunctory remarks on the horror of Thatcher's Britain preceded the main event: Mr Meacher, aged 52, was to accept a cake from Mr Enright, aged 56.

"Tibi illud do," grunted Mr Enright, continuing: "Tip it a little sideways to show the cameras the rose."

"Ergo tibi gratias ago," replied Labour's social security spokesman. Meacher is a scholar, Enright a classics teacher, and this was the first socialist press conference in Latin. Yorkshiremen gasped. Labour's transformation is complete. A dead language for a dead ideology. "Frankly, we've conceded the Latin vote," Alex Folkes, the Liberal Democrat press officer, grinned at the morning's next event, Val Megson's press conference at the Boot and Shoe pub.

To witness the destruction of a human being at a by-election is the closest modern Britons can come to the

joys of a public execution. Yet Val Megson looks nice, is obviously local, and is not a Tory — all of which merits a big sympathy vote in West Yorkshire.

By now, poor Val was in such a state that she couldn't even remember the things she did know. Watching fox-cubs having their tails pulled off is tantamount to punishment. But with Liberal Democrats, as with foxes, you must remember they'd do the same to you.

I escaped the bleeding. At Minsthorpe school Mr Meacher was fielding sharp questions from sixth formers. He made, I fear, a teeny-weensy mistake...

A boy had asked whether, if NHS charges were "privatised", Mr Kinnock would abolish them? Ah, said Meacher, all Labour could promise was not to increase them. After all, they were a

Politics, page 7

fact. What Mr Kinnock had meant was: "These are things we'd never have done."

Questions for Minsthorpe sixth form:

(1) Under a government of which party was the prescription charges legislation brought in?

(2) Who first levied charges for spectacles and teeth?

(3) True or false: "It was Bessie Bevan who said, 'I shudder to think of the cascade of medicines pouring down the throats of the British people today'?"

And a question for Tory Central Office: why do Tory candidates in hopeless seats have names such as "Berkley Greenwood" (Liverpool, Walton) and "Garnet Harrison" (Hemsforth)?

Garnet, who resembles Blackadder, put in a strong performance. He is smooth and bright. He will go far. But not in Hemsforth.

MATTHEW FARRIS

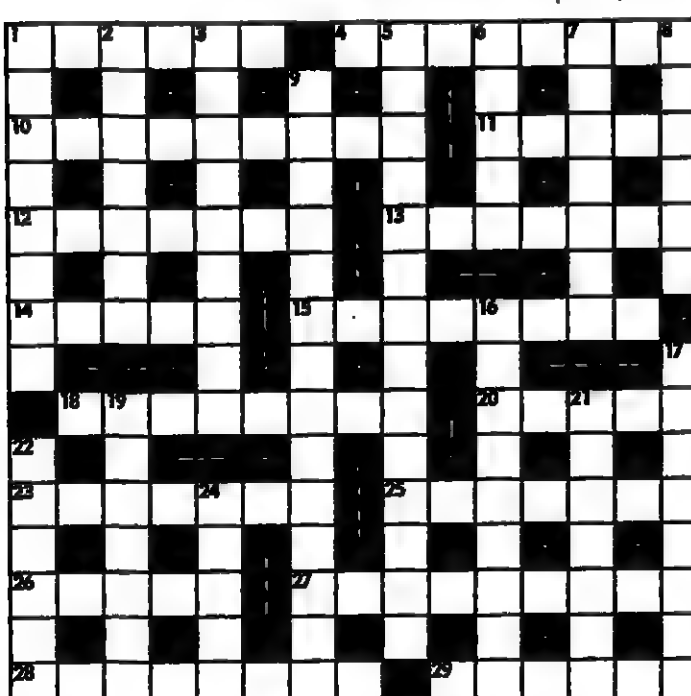
BARGAINS TO BEAT THE SLUMP

At Letford's, 3rd and 4th, The Highway at Wapping, in east London, a 2,600 sq ft penthouse that was sold four years ago for £450,000 is now being marketed at £215,000. It is under offer at £185,000. The news that one estate agent is returning to the life of Dogs is not by itself of any more significance than is one swallow to summer, but it is a start.

People who have been renting, many of them in the Docklands area, are back in the buying market, and there are bargains for the discerning.

Is the property market recovering? Christopher Warriner assesses the evidence in *The Times* tomorrow

THE TIMES CROSSWORD NO 18,755



- ACROSS
- Reddish-brown fungus found around the Kent area (6).
 - High award for army officer held by a rebel leader (8).
 - Numbers backing the start of a mission (9).
 - In part it helped to stock this barn (5).
 - Ray gives retiring seamen support (7).
 - Sweetener a politician left in box, perhaps (7).
 - A posh woman has overheard sound reproduction (5).
 - Compensatively dummy person in illegal occupation (8).
 - It turned out extremely vain, Eliot's occupation (8).
 - Almost like Mowgli's brothers to make such a bloomers (5).
 - Make noise like a gun to preserve the maize (7).

- DOWN
- Strain undergone by Lawrence, latterly, in this carriage? (8).
 - Second rise for teachers has a man dumbfounded (7).
 - Steak dish taken in bed? Quite the opposite (9).
 - Studies obvious truth about endlessly active art movement (14).
 - Bizarre form of 24 (5).
 - Arrest English diplomat (7).
 - An inch, do we hear, this small hole? (6).
 - Uniformed attendant gets cut when on river (14).
 - Actor shamefully lit up at first in the plant (5-4).
 - It sounds as if Miss Oakley has fixed a drink (8).
 - 16 may have bowed when this Latinist sang (7).
 - Politic to observe simple direction during training (7).
 - In Egypt, a reason for pandemonium (6).
 - Old-fashioned king gets shot (5).

Solution to Puzzle No 18,754

ACROSS

- REDISH-BROWN FUNGUS FOUND AROUND THE KENT AREA (6): REDISH-BROWN FUNGUS FOUND AROUND THE KENT AREA (6)
- HIGH AWARD FOR ARMY OFFICER HELD BY A REBEL LEADER (8): HIGH AWARD FOR ARMY OFFICER HELD BY A REBEL LEADER (8)
- NUMBERS BACKING THE START OF A MISSION (9): NUMBERS BACKING THE START OF A MISSION (9)
- IN PART IT HELPED TO STOCK THIS BARN (5): IN PART IT HELPED TO STOCK THIS BARN (5)
- RAY GIVES RETIRING SEAMEN SUPPORT (7): RAY GIVES RETIRING SEAMEN SUPPORT (7)
- SWEETENER A POLITICIAN LEFT IN BOX, PERHAPS (7): SWEETENER A POLITICIAN LEFT IN BOX, PERHAPS (7)
- A POSH WOMAN HAS OVERHEARD SOUND REPRODUCTION (5): A POSH WOMAN HAS OVERHEARD SOUND REPRODUCTION (5)
- COMPENSATIVELY DUMMY PERSON IN ILLEGAL OCCUPATION (8): COMPENSATIVELY DUMMY PERSON IN ILLEGAL OCCUPATION (8)
- IT TURNED OUT EXTREMELY VAIN, ELIOT'S OCCUPATION (8): IT TURNED OUT EXTREMELY VAIN, ELIOT'S OCCUPATION (8)
- ALMOST LIKE MOUGLI'S BROTHERS TO MAKE SUCH A BLOOMERS (5): ALMOST LIKE MOUGLI'S BROTHERS TO MAKE SUCH A BLOOMERS (5)
- MAKE NOISE LIKE A GUN TO PRESERVE THE MAIZE (7): MAKE NOISE LIKE A GUN TO PRESERVE THE MAIZE (7)

DOWN

- STRAIN UNDERGONE BY LAWRENCE, LATTERLY, IN THIS CARRIAGE? (8): STRAIN UNDERGONE BY LAWRENCE, LATTERLY, IN THIS CARRIAGE? (8)
- SECOND RISE FOR TEACHERS HAS A MAN DUMBFOUNDED (7): SECOND RISE FOR TEACHERS HAS A MAN DUMBFOUNDED (7)
- STEAK DISH TAKEN IN BED? QUITE THE OPPOSITE (9): STEAK DISH TAKEN IN BED? QUITE THE OPPOSITE (9)
- STUDIES OBVIOUS TRUTH ABOUT ENDLESSLY ACTIVE ART MOVEMENT (14): STUDIES OBVIOUS TRUTH ABOUT ENDLESSLY ACTIVE ART MOVEMENT (14)
- BIZARRE FORM OF 24 (5): BIZARRE FORM OF 24 (5)
- ARREST ENGLISH DIPLOMAT (7): ARREST ENGLISH DIPLOMAT (7)
- AN INCH, DO WE HEAR, THIS SMALL HOLE? (6): AN INCH, DO WE HEAR, THIS SMALL HOLE? (6)
- UNIFORMED ATTENDANT GETS CUT WHEN ON RIVER (14): UNIFORMED ATTENDANT GETS CUT WHEN ON RIVER (14)
- ACTOR SHAMEFULLY LIT UP AT FIRST IN THE PLANT (5-4): ACTOR SHAMEFULLY LIT UP AT FIRST IN THE PLANT (5-4)
- IT SOUNDS AS IF MISS OAKLEY HAS FIXED A DRINK (8): IT SOUNDS AS IF MISS OAKLEY HAS FIXED A DRINK (8)
- 16 MAY HAVE BOWED WHEN THIS LATINIST SANG (7): 16 MAY HAVE BOWED WHEN THIS LATINIST SANG (7)
- POLITIC TO OBSERVE SIMPLE DIRECTION DURING TRAINING (7): POLITIC TO OBSERVE SIMPLE DIRECTION DURING TRAINING (7)
- IN EGYPT, A REASON FOR PANDEMONIUM (6): IN EGYPT, A REASON FOR PANDEMONIUM (6)
- OLD-FASHIONED KING GETS SHOT (5): OLD-FASHIONED KING GETS SHOT (5)

WORDWATCH

By Philip Howard

PATS AND TAPS

- PATIBULARY
- Wafer-thin
 - Eminently dependable
 - In court
- PATRICO
- An Irishman
 - A priest
 - A comrade in arms
- TAPTOE
- Very quietly
 - Retreat
 - A lively nautical jig
- TAPPITHEEN
- A vessel
 - An Andalusian
 - Sometimes but not now

Answers on page 20

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M-ways/roads M1-Dartford T	734
M-ways/roads Dartford T-M25	735
M25 London Orbital only	736
National	737
National motorways	738
West Country	739
Wales	740
Midlands	741
East Anglia	742
North-west England	743
North-east England	744
Scotland	745
Northern Ireland	746

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* denotes figures are latest available

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WEATHER

Cold northerly winds will sweep across much of the country, bringing wintry showers. These will be frequent over Scotland and northern and eastern England and will be a mixture of hail, sleet and snow. Over Wales and south-western England showers and some sleet or snow is likely over hills and moors. Further inland, the more sheltered parts of southern England will stay mostly dry and sunny with just the odd shower. Outlook: Milder with some rain.

For the latest region by region forecast, 24 hours a day, dial 0836 500 followed by the appropriate code.

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TOURIST RATES

Bank Buys Bank Sells

Bank Buys Bank Sells

Bank Buys Bank Sells

TUESDAY NOVEMBER 5 1991

TODAY IN
BUSINESS

T&C TALKS



Rosalind Gilmore, the Building Societies Commission, called the big five societies to discuss Town and Country. Lindsay Cook reports Page 27

MINES STRIKE

South Africa's largest mines were disrupted by a strike by miners protesting against VAT proposals. Johannesburg's all-gold index lost 19 points at 1,145, while gold and silver were lower in London. Page 24

BID REJECTED



Jean Gaulin, chief executive of Ultramar, rejected Lasso's £1.2 billion takeover bid, saying the one-for-one share offer was a disguised rights issue. Tempus, page 26

GREEN AWARDS

As Britain launches the first industrial green yardstick, the Business Commission to the Environment panel, chaired by Sir Peter Parker, today announces the winning companies in the 1991 green industry award. Special report pages 30-33

HAWKER CONFIDENT



Alan Watkins, chairman of Hawker Siddeley, is confident of defeating a £1.5 billion hostile bid from BTR, despite forecasting a 7.4 per cent fall in profits. Page 26

THE POUND

US dollar 1.7775 (+0.0290)
German mark 2.9071 (+0.0011)
Exchange index 91.3 (+0.5)
Bank of England official close (4pm)

STOCK MARKET

FT 30 share 1935.3 (-17.4)
FT-SE 100 2527.8 (-21.7)
New York Dow Jones 3036.00 (-20.35)
Tokyo Nikkei Avge Closed

INTEREST RATES

London Bank Base 10%
3-month interbank 10 1/2%
3-month eligible bills 10 1/2%
US Prime Rate 8%
Federal Funds 4 1/4%
3-month Treasury Bill 4.75-4.74%
30-year bonds 10 1/2%-10 3/4%

CURRENCIES

London: New York
£ \$1.7825
£ DM2.9046
£ Sfr2.5561
£ FF6.9384
£ Yen128.55
£ Index 91.3
ECU 0.703889
£ ECU1.420678
London forex market close

GOLD

London Gold: AM \$356.85 pm \$356.35
close \$356.40-356.90 (£200 30-200 \$1)
New York: COMEX \$357.65-358.15

NORTH SEA OIL

Brent (Dec) \$22.60 bbl (\$22.65)

RETAIL PRICES

RPI: 134.6 September (1987=100)
* Denotes midday trading price

Link aimed at safeguarding confidence

Woolwich set to take over T&C society

By LINDSAY COOK, MONEY EDITOR

THE board of the Woolwich Building Society is expected this morning to give the go-ahead to a merger with the Town & Country Building Society. The merger has been forced on the T&C, the fifteenth-largest society, by the Building Societies Commission to safeguard confidence in societies.

The T&C is expected to announce a loss of £10 million for this year. Its reserves stood at £146 million at the end of last year and members of the T&C should receive a share of this in the form of a bonus. Traditionally, bonuses for savers are the difference between the reserve/asset ratios of the two societies. The T&C has a ratio of 7.3 per cent—the second highest of the top 20 societies—compared with the Woolwich's 5.3 per cent.

T&C's 222,000 savers are likely to get less than 2 per cent, though, to take account of the costs of the rescue. The 54,000 borrowers could get a reduction in their mortgage payments for up to a year.

The Woolwich was last night completing its search of the T&C's records and accounts to establish that its position is as stated during the negotiations. This "due dili-

gence" procedure has to be completed before the board can sanction the merger.

The Woolwich is likely to close a large number of branches because of duplication. The smaller society has 78 branches, and in 39 of the high streets where it has a presence there is a Woolwich branch. The merger with the £2.2 billion T&C will take the Woolwich back to No 3 in the building society league table.

The merger is not, however, a natural one, with the two societies being London-based and having a strong presence in the Southeast. It is unlikely to have taken place without the prodding of the Building Societies Commission pushing the T&C to accept a merger rather than risk a loss of confidence for building societies in general. The Halifax, the largest society, was the preferred merger candidate of the commission but the T&C found more synergy with the Woolwich.

The other big five societies called in by the commission to talk about the T&C were ruled out for other reasons. The Nationwide still has administrative problems from its last merger, with the Anglia. The Alliance & Leicester is still swallowing the Girobank and the Leeds, at No 5, would be

reluctant to take on a society as large as the T&C. It has seen the strains that the Leamington Spa merger with the Bradford & Bingley have caused the seventh-largest society.

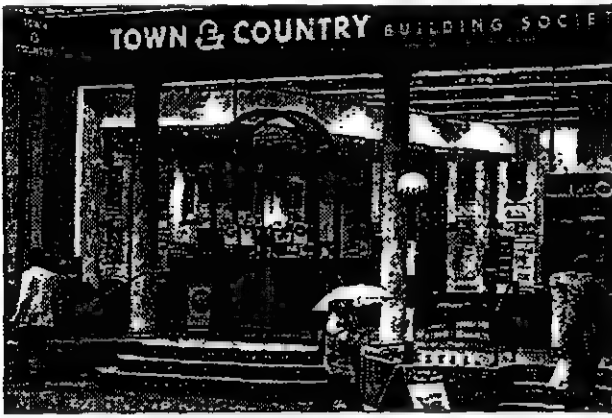
The Leeds is concerned not to be downgraded because it has rescued a weaker society. The B&B was downgraded by Standard & Poor's, the rating agency, after its merger.

The commission sent a team of accountants into the T&C to look at its losses. These had mostly been incurred because the society had not underwritten its indemnity cover for most borrowers taking out loans over 70 per cent of a property's value. It had put the premiums, set at industry rates, into an account, and in the buoyant years made substantial profits on the cover. Now, like insurance companies facing payouts of hundreds of millions of pounds for defaulting borrowers, it is expected to make substantially increased provisions. These could be four times last year's £11 million and will wipe out operating profits expected to be about £35 million.

Since December the society has been negotiating with two insurance companies to provide this cover. It had always used a leading composite insurer for loans over 95 per cent of the value of the property.

Ian Bell, managing director of the T&C, said: "There is no reason at all for any investor or borrower to worry about the underlying financial stability of the society. Their interests are completely safe."

He continued: "In the sphere of banking or commerce it would be usual for an organisation to trade through the ups and downs of the market."



Forced merger: T&C could announce a £10m loss

Maverick pays price, page 27

Medicopharma axes 900 as UK division closes

By WOLFGANG MÜNCHAU, EUROPEAN BUSINESS CORRESPONDENT

MEDICOPHARMA, the Dutch pharmaceutical company, is to close its British drug wholesale operations with the loss of 900 jobs, mainly in Scotland and Cumbria.

The company blamed market conditions but added that the decision to close, rather than sell the operations as a going concern, came after the British competition authorities made it clear that the sale to one of Medicopharma's British rivals would be blocked on competition grounds.

Ironically, Medicopharma's decision to leave the market altogether will affect competition in almost the same way, because, without the Dutch company, the market will be even more heavily dominated by the two leading drug wholesalers, UniChem and A&A Holdings.

The wholesale drug industry is facing a monopolies

enquiry after a series of takeover bids for Macarthy, the drug maker and retailer, which has a longstanding supply contract with Medicopharma.

The Dutch group was perceived to be the main obstacle to forming a duopoly in the industry, and its departure could have a profound impact on the enquiry by the Monopolies and Mergers Commission. Most of the redundancies will occur in distribution centres at Dundee and Carlisle. A spokesman for the Dutch company said yesterday: "We tried to sell on a going-concern basis, but there were difficulties with the MMC, so we decided to close down the whole operation."

A company statement added: "The withdrawal from the UK market, in the face of increasingly strong domestic competition, is believed to be in the best interests of the group." After the closure,

Medicopharma will now partially sell its British assets, including the depots, to A&A Holdings. The net receipts of the divestment are expected to be around 100 million guilders (£30 million), after provisions for redundancies and other matters of about £130 million. The funds are to be used to cut debt and to expand the company's core business in The Netherlands.

Recently, the relationship between Medicopharma and Macarthy, its largest British customer, deteriorated after Macarthy accused the Dutch group of being in breach of contract over alleged failure to post updated prices.

Medicopharma, which acquired the rump of its UK business from Macarthy for £19 million last year, denied that its decision to withdraw from Britain was linked with this dispute.

Comment, page 27

Cats producer adds to his empire

By GILLIAN BOWDITCH

CAMERON Mackintosh, the highly successful theatre producer, who is said to have amassed a personal fortune of £60 million, is plunging some of his money back into West End theatre.

Mr Mackintosh has increased his stake in the theatre subsidiary of Lord Delfont's First Leisure group, whose interests range from tenpin bowling and discos to Blackpool Tower. His current West End productions include *Cats*, *Phantom of the Opera*, *Miss Saigon*, *Five Guys Named Moe* and *Les Misérables*.

In February, Mr Mackintosh bought a 20 per cent stake in First Leisure's two West End theatres, the Prince of Wales and the Prince Edward, for an undisclosed sum. He has now exercised an



Mackintosh bought Strand

option to increase the stake to 50 per cent. Both parties will receive an annual dividend from the business.

The subsidiary, to be renamed Delfont Mackintosh Theatres, has bought the free-

hold of the Strand Theatre, in London's West End, to add to its portfolio. The Strand, whose lease has 11 years to run, was sold by a private group, Winchcroft Ltd, for an undisclosed sum.

Mr Mackintosh, who appears to be beating the recession that is crippling other West End producers, said: "The Strand Theatre, an important West End theatre, is suitable for both plays and medium-sized musicals. This addition will greatly enhance our theatrical presence in the West End and enable us eventually to offer a wider choice of various size theatres to West End producers."

"It is my ambition to ensure their healthy continuation as irreplaceable first-class theatres into the 21st century". Mr Mackintosh has no further

options over the theatre group but both parties have first refusal to buy the other's 50 per cent stake should either decide to sell.

There is no official agreement to run Cameron Mackintosh productions in the theatres but Nick Irens, finance director of First Leisure, said that commercially it would make sense for the group to run his productions.

Lord Delfont, chairman of First Leisure, said: "I am delighted that Cameron Mackintosh has the confidence in our association to increase his shareholding to 50 per cent. He is the world's leading theatrical producer and his unique knowledge and experience will considerably benefit the future prospects of our theatres". First Leisure shares rose 3p to 281p.



John Benham, CBI director, (left) and Peter Lilley, the trade secretary, at Bournemouth yesterday

Housing starts increase again

By ANATOLE KALETSKY

THE number of new houses started in Britain increased in September for the third month in succession. The provisional estimates show that work on 14,000 new dwellings was started, compared with 12,800 in September 1990. There was a fall in the number of completions to 13,800, compared with 15,500 in September last year.

In the three months from July to September, 43,700 dwellings were started, an increase of 10 per cent on the three months a year ago, but completions were down 6 per cent at 43,200.

Seasonally adjusted, the figures indicate that for the latest three-month period, total starts were up 11 per cent compared with the previous three months and total completions were down 5 per cent.

Michael Heseltine, the environment secretary, hailed the news as further confirmation that the economy was moving out of recession. "For the third month in a row there has been a considerable increase in housebuilding starts, particularly in the private sector, which has risen by 12 per cent," he said.

"Housebuilding is always a key measure of economic activity. These figures powerfully reinforce the Chancellor's message."

"They herald renewed hope for all those anxious to move house and wishing to buy. Britain is pulling out of recession."

Private sector starts were up 12 per cent and completions down 5 per cent.

But starts and completions by local authorities, new towns and government departments fell compared with the previous three months.

In a separate announcement, the Treasury said that Britain's reserves of gold and foreign currency altered little in October.

Although there was a basic fall of \$341 million, the underlying change was a rise of just \$41 million—including \$33 million from electricity privatisation. Reserves at the end of last month stood at \$44,252 million.

CBI expects to sway government policy

By PHILIP BASSETT, INDUSTRIAL EDITOR

BRITISH business leaders are confident that the government will bring forward in its election manifesto proposals for reforming government relations with industry that will be largely in line with the recommendations for change being promoted by the Confederation of British Industry.

Despite the scepticism of Peter Lilley, the industry secretary, towards the CBI's calls for changes in the government's industrial policy, senior figures in the CBI believe the government will largely adopt the refocusing of its industrial work that the CBI wants. In its most searching criticism of the government for a decade, the CBI is suggesting that the government should widen its industrial policy from principally the regulation of competition towards actively promoting British industrial competitiveness, especially in Europe.

CBI leaders had not talked about their proposals in detail with Mr Lilley before his arrival at the CBI conference in Bournemouth yesterday. But they have discussed them with Downing Street, and believe they have the support of John Major. The CBI be-

lieves that if re-elected, Mr Major will significantly alter the structure of a number of Whitehall departments, merging the energy department with trade and industry (DTI), possibly including some or all of the employment department (DE) in the new ministry. They are confident that the government will also refocus the work of the DTI to help British business more actively, especially in Europe, along the lines of German and Japanese government support for their industries.

If Downing Street is backing the CBI against Mr Lilley, who has dismissed the CBI's emphasis on "departmental restructuring as a 'mistake'", it may give further substance to rumours in Whitehall that Mr Lilley is likely to be replaced in a re-elected Conservative government by Michael Heseltine, the environment secretary.

When asked yesterday if he thought he would still be industry secretary if the government was re-elected, Mr Lilley would say only: "I hope so". In the first speech by an industry secretary to a CBI conference, Mr Lilley endorsed what he said were the key messages of the CBI's

report, but did not deal with any of the CBI's detailed criticisms of the government's attitude towards industry. Afterwards he would say only that the calls from the CBI for change from the government were only a "very secondary part" of the CBI's report.

After Mr Lilley's speech, John Benham, CBI director-general, acknowledged that he had not addressed the CBI's points about the government, but said: "One doesn't become a secretary of state without being pretty adept at not answering the question."

Though he was relatively well received, Mr Lilley's speech followed what was probably the CBI's most sustained public attack on the government's industrial policy, urging the government to join industry in trying to improve Britain's international competitiveness.

A string of senior industrialists took to the rostrum to press home the recommendations of the CBI's report on manufacturing industry, which insists that the DTI should reduce its regulatory role and concentrate on assisting business.

Reports, page 25

Dozens of mortgages claim to save you money. But are they being economical with the truth?

To weigh up a mortgage, you need to look beyond the headlines. If you're borrowing a high proportion of the property's value, you should pay close attention to the mortgage indemnity insurance which will be required.

If the lender insists on a particular buildings and contents policy, you should examine it closely.

And if you're interested in an endowment mortgage, you should remember that most big banks and building societies, by law, are only allowed to offer you a single firm's policies — so you'll have to shop around if you want to see how they compare.

But if this all sounds a little tiresome, there is an alternative. At John Charcol, it's our job to take all of these factors into account — and then, as independent advisers, to recommend the mortgage and insurance which are right for you.

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Strike affects four of South Africa's six mining houses

By COLIN CAMPBELL, MINING CORRESPONDENT

THE two-day workers' strike in South Africa against VAT proposals yesterday left at least 15 dead at Welkom, Orange Free State, and affected mining production of four out of six South African mining houses.

Anglo American, Gold Fields, Rand Mines and Gencor all reported some disruption. Only those mines owned by the JCI and Anglovaal groups said they were operating normally.

Work stoppages also hit platinum producers, though labour disputes had earlier already halted production at two Impala platinum mines.

The Johannesburg stock exchange's all-gold index lost 19 points at 1,145 during the day, while in London gold closed \$1.25 lower at \$356.50 an ounce. Platinum was 25 cents up at \$362.55 an ounce, and silver was 2 cents off at 409 cents an ounce.

In London, Derek Keys, executive chairman of Gencor, South Africa's second largest mining house, said labour disputes involving

group mines in Bophuthatswana was "ticklish", but he believed that South African political developments and reforms would "work out in the long run".

"Things are never as bad over there as they appear to be from over here," he said.

Mr Keys yesterday had a meeting with Tiny Rowland, chairman and chief executive of Lonrho. Gencor and Lonrho have common and joint platinum interests in South Africa, and Mr Keys played down any suggestion of a closer Gencor-Lonrho relationship.

"About a year ago, Mr Rowland asked Gencor to consider if we could merge. But we fell at the first fence. It was a question of management and who would lead what," Mr Keys told *The Times*.

"We are only partners in platinum — and that is as far as it goes," he added.

The Harmony gold mine within the Rand Mines group was not operating, but ERPM, Durban Deep and Blyvoor-

uitzicht reported normal operations. Stillfontein within the Gencor group was 89 per cent hit by the labour stoppages, and 55 per cent of the workforce Buffelsfontein was reported to be "out".

Certain shafts at President Steyn that make up the Freegold mine — the biggest individual gold mining company in the world, and part of the Anglo American group — were not operating, but No.1 and No.2 shafts said operations had been normal.

Official estimates of lost production because of the two-day strike were not immediately available, but South African mines are currently labouring under an increasing cost and inflation strain.

South African mining houses have further suffered from gold's lacklustre performance on world markets, and a number of marginal SA operations are already under threat of closure because of rising costs.

Fifteen dead, page 9



Announcing bid document today: Alan Watkins

Hawker confirms forecast

HAWKER Siddeley, the engineering group defending a £1.5 billion takeover bid from BTR, confirmed that its defence document to be announced by chief executive Alan Watkins today will contain a profit forecast of £130 million for the current year.

The confirmation came after the company admitted that a copy of an internal document passed to *The Sun*-

day *Times* was genuine. Extracts from the document, including the profit forecast, were published by the newspaper at the weekend.

Although 7.4 per cent down on 1990's pre-tax profits of £140.4 million, the forecast is a little higher than that forecast by analysts.

BTR owns or has acceptances for 7.5 per cent of Hawker.

TIG denies bid link to board loss

By JONATHAN PRYNN

THE resignation of Richard Duggan as chief executive of Trade Indemnity Group, the credit insurer, was not connected with the company's failure to acquire ISG, the short-term credit arm of the ECGD, company sources say.

Trade Indemnity withdrew from bidding for ISG in May and the privatised company eventually went to NCM, the Dutch insurance company.

A spokesman for Trade Indemnity said there had been no conflict at boardroom level over the conduct of the ISG bid. The disagreements with Mr Duggan, which led to his resignation on Friday, were related to "how the company tackles the problems and opportunities presented to us in the current trading environment," he said. Trade Indemnity made a £29 million pre-tax loss for 1990 and passed its 1991 interim dividend. An announcement from the company yesterday said there had been no material change in trading conditions since the last statement in September.

The question of Mr Duggan's departure was only raised on Tuesday at a board meeting and was finalised on Friday evening, the spokesman said. Four of Trade Indemnity's major shareholders are represented on the board.

BUSINESS ROUNDUP

Geers Gross gives nod to Publicis bid

THE board of Geers Gross, the advertising agency, is recommending that shareholders accept a 35p a share cash offer from Publicis, the French advertising group, which values the British agency at £5.3 million. Geers Gross first warned shareholders to expect a bid from Publicis in August, when it indicated that the terms of any agreed offer were not likely to be above the then 31p share price.

Yesterday, Geers Gross shares rose 2p to 33p. Publicis has secured irrevocable acceptances from 35.9 per cent of Geers Gross shareholders, including Eurocom, its French rival that owns a 19.9 per cent stake in the company. An independent future for Geers Gross has looked unlikely since the death in April of Bob Gross, its founder and chairman. Geers Gross is due to publish its interim results to end-June later this week.

SW Wood in red

SW WOOD Group, the metal trader and aluminium smelter, is once again making losses as adverse trading conditions affect all parts of its business.

In the six months to end-September, Wood made a pre-tax loss of £99,000 (£32,000 profit), which followed previous full-year losses of £2 million. The loss would have been larger but for £93,000 of received interest which was set against an operating loss of £192,000. Peter Rae, managing director, said that margins on aluminium smelting had been under severe pressure. Once again, there is no interim dividend.

Europe Energy loss

EUROPE Energy Group, the USM-quoted mining concern, has announced a loss of £133,940 (loss of £4,720) for the six months to end-June but has forecast a profit for the current financial period. The figures are the first since the reverse takeover of Moray Firth Exploration in February.

Glyn Harris, the managing director, said that the company expects profits to be made in the 15-month period to end-March, its new year end. It is also confident that "much improved profits will be achieved in the year 1992-3," he said. There is no interim dividend (nil).

Pict calls off oil sale

PICT Petroleum has called off the sale of its interest in the Claymore oilfield because Croft Exploration, the buyer that Pict had lined up, has been unable to complete the financing of the £3.7 million deal in time. The sale of the 0.6857 per cent interest in the North Sea field was announced in June. Pict planned to use part of the proceeds to repay a \$2.4 million loan outstanding on the Claymore interest.

Peter Everett, Pict's chairman, said the cancelled sale presented no financial problems. Last month, Pict reported doubled profits of £4.6 million for the year to end-June.

Nobo chief leaves

NOBO Group, the office products supplier, has announced the departure "by mutual agreement" of Colin Smith, the chief executive. He is replaced by Roger Colvin, the finance director, who retains responsibility for financial matters. Keith Moloney, group financial controller, becomes company secretary.

Mr Colvin said Mr Smith's departure marked the company's transition "from being a founder-run plc to being a fully fledged plc". Mr Smith, who with his family remains an 8 per cent shareholder, receives £227,000 compensation.

Burn Stewart ready to float

By GILLIAN BOWDITCH

BURN Stewart Distillers, the Scottish whisky group, is coming to the market this month via a placing and intermediaries offer that is likely to value the business at about £80 million. Morgan Grenfell is financial adviser and Cazenove broker to the issue.

The flotation has been postponed for more than a month until the outcome of Whyte & Mackay's bid for Invergordon was known. Burn Stewart has close trading links with Invergordon, which won.

The group distills, blends and bottles whisky, 81 per cent of which is exported. Burn Stewart was the subject of a management buyout in 1988 headed by Bill Thornton, formerly finance director of Hiram Walker and now Burn Stewart's chairman.

Burn Stewart is issuing 14.8 million new shares and existing shareholders are selling 6.78 million. About 36 per

cent of the enlarged share capital will be offered to new investors. Half the shares are being placed with institutional shareholders and other investors and half are being offered to member firms of the London Stock Exchange for private clients. This allows a wider spread of shares without the cost of an offer for sale.

The proceeds will be used to reduce debt. In October, Burn Stewart had borrowings of £27.3 million and cash balances of £100,000. Gearing is 250 per cent and after the flotation will come down to about 33 per cent.

Following the issue, directors and their families will hold 29.4 per cent, existing institutional shareholders 20.8 per cent and Bols, the Dutch drinks group, 10 per cent.

The price of the shares will be set in the next fortnight. Dealing is expected to start on November 22.

Coal urges plan to cut power costs

By ROSS TIEMAN, INDUSTRIAL CORRESPONDENT

BRITAIN'S embattled coal industry wants the right to lease surplus coal-fired power stations from generating companies so British Coal can demonstrate its ability to provide energy at competitive prices.

Malcolm Edwards, the corporation's commercial director, believes coal-fired plants can provide cheaper electricity than all but a handful of the gas-fired power stations now planned, even if coal plants are required to adopt flue gas desulphurisation equipment to reduce emissions.

Mr Edwards said British Coal had achieved a 60 per cent cut in the real cost of coal since 1982, and aimed to achieve further productivity gains of 40 to 60 per cent.

However, he gave a warning that the corporation faced a massive contraction in capacity unless it was given the chance to prove its worth.

In a speech to the British Coal Utilisation Research Association, Mr Edwards said the government looked set to approve the construction of £5 billion of gas-fired plants, which would replace 40 per

cent of the UK's coal-fired power generation capacity. British Coal's market would be cut by 30 million tonnes a year, he said, and gas consumption would rise by 25 per cent.

But "all but a few of these plants would produce power at a total cost above that of British coal burnt at the existing coal stations". The cost of electricity from many gas plants was likely to be 15 to 30 per cent higher than from coal plants, Mr Edwards said.

"At the big coal stations you could fit new flue gas desulphurisation equipment and still coal would be cheaper."

Mr Edwards's claims raised disturbing issues for the government. Electricity prices have already risen sharply since the government sold a 60 per cent holding in one of the two largest generating companies, National Power and PowerGen, at the beginning of the year.

The prospect of further unnecessary rises will fuel claims that the privatisation structure has proved inimical to competition.

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CBI CONFERENCE

Banham stresses need for the right government

By PHILIP BASSETT, INDUSTRIAL EDITOR

JOHN Banham, the CBI director-general, led the conference's demands for a government more in line with British industry.

Insisting that British business now had a record of which it could be proud, Mr Banham's address to the conference set out what he described as the five central requirements for business to compete in a tougher world. They were:

□ The right government. Stressing that the CBI was not

party political, Mr Banham described the need to have the right government as the most important of the five requirements. "We cannot be indifferent to politics. Business needs the right government."

His list of requirements for the right government in effect dismissed Labour's claims to be a better government for business and laid down terms for the Conservatives.

The government, he said, should be more interested in promoting enterprise than

regulating it, committed to Britain playing a major part in Europe and to investment in the future, allergic to interference in the market place while recognising its own position in the market.

□ The right money. He said that "never again must the inflationary genie be let out of the bottle". It was unacceptable that manufacturing inflation should be running at no more than 2-3 per cent and falling while costs outside manufacturers' control were rising three times as fast. The government should cut interest rates as soon as inflation allowed. He also attacked the "central planning" and inefficiencies of the health service.

□ The right equipment. Companies needed to double their investment, currently running at £2,500 per employee on new plant and equipment. Profits will have to increase by two-thirds, with all of them reinvested.

□ The right attitude. The economic mistakes of the past should not lead to a general loss of confidence, Mr Banham said.

"Confidence has certainly taken a beating over the past two years. The economic policy mistakes, which the government now acknowledges, have cost billions of pounds in lost output and investment. They have resulted in many small businesses going to the wall that might otherwise have survived and prospered."

Mr Banham was confident that British business could meet all five requirements so that the economy could be on its way to a place firmly in the first division of the world economic league.



Challenge: Professor Sir Roland Smith said government must champion industry

Tough talking Smith calls for German-style stability

By DEREK HARRIS

PROFESSOR Sir Roland Smith, a member of the CBI president's committee, opened the key conference debate on manufacturing with some tough talking.

He pointed to Germany and Japan with their strong manufacturing industries having political leaders who understood the significance of economic success.

He added: "Politicians from all parties here in the United Kingdom are beginning to understand that political success is dependent upon economic success. The electors are increasingly looking to their political leaders to deliver prosperity on a long-term permanent basis."

Then he demanded: "Within the DTI itself there is a need for a sharper focus on resources and initiatives intended to assist manufacturing competitiveness."

"This will require a dramatic change in personal skills and in commercial initiatives on behalf of industry. Manufacturing industry needs an effective DTI primarily working with industry to promote its competitiveness and also promoting the trading interests of our companies at the international level."

It was the task of politicians to provide manufacturing industry with the economic stability that enabled companies to plan their futures with some degree of certainty, he said. Sir Roland added: "Putting it bluntly, British business wants to enjoy the same economic stability as German business has experienced over the past two decades."

"We look to the government to be the champion of

British manufacturing both the international and domestic arenas." No matter how efficient British manufacturers might be, industry could not compete with countries whose governments gave overt support to their industries, he said.

Praise for discipline of ERM

By OUR INDUSTRIAL STAFF

DELEGATES urged Britain to join the narrower bands of the European exchange-rate mechanism (ERM). They also wanted inflation brought down further, and kept down.

Sir Michael Angus, chairman of Unilever and the CBI's deputy president, said being in the ERM was a declaration that there were no easy options. "For government, growth through the creation of excessive demand can no longer be on the agenda," he said. "For the private sector, the fact that under the ERM inflationary increases in costs will not be compensated in the exchange rate is a hard discipline — something to concentrate the mind."

Sir Michael said the recent recession had taught that for all the improvements in productivity and investment the UK economy was still inflexible. Britain could not afford unsustainable booms because the consequence was inflation followed by costly, agonising readjustment. "I sincerely hope that all political parties have learned that," he said.

Lilley takes firm stand against intervention

By OUR INDUSTRIAL STAFF

PETER Lilley, the trade and industry secretary, used the winding up of the CBI's key conference debate on manufacturing to build bridges with industry, pledging that when the CBI's new manufacturing advisory group began the drum for industry he would be playing the same tune.

He had listened to speakers reiterating demands for the government to help industry fight for level playing fields in international competition.

Mr Lilley emphasised that the government's job was to open markets and declared: "If you meet barriers to trade, unfair competition and subsidies, hidden protection — let us know." He also sharply criticised government intervention: "It has always been a costly disaster from groundnuts to DeLorean motor cars."

He repeated long applause from the delegates as he said Brian Corby, the CBI chairman, and John Banham, the director-general, Sir Brian welcomed Mr Lilley's "positive approach" and added: "We shall each look to the other for delivery. We shall look forward to working with you."

Mr Lilley's speech to the conference made a breezy start with a sidelong reference to speculation that a new, expanded department taking in trade and industry, employment and energy might go to Michael Heseltine, the present environment secretary.

Mr Lilley noted that he was the first trade and industry secretary to address a CBI conference. He quipped about the rapid turnover of ministers in his post: "Perhaps previous organisers felt that model changes were so rapid in this market that you could not be sure that the model you ordered would be the one delivered." He added, amid laughter: "I see you have taken the precaution of inviting Michael Heseltine [due to address the conference today] as well, just in case."

Mr Lilley punched home his main theme: "I don't believe in intervening in British industry at home — but I am determined to intervene for British industry abroad."

Only government could open markets, remove barriers and tackle unfair practices, he said. He underlined his role in representing British

industry abroad. He said: "The lesson is clear. Where industry and government work together across the board the combined impact exceeds the sum of the parts."

Talking to business people had convinced him that doing business was still tough but that confidence was returning. Inflation was in retreat and would soon be below the German level for the first time in a generation. Interest rates were down by nearly a third. He said: "We are set to grow again. And confidence is crucial, since confidence itself will give momentum to the recovery."

He endorsed three key messages in the CBI's report on manufacturing, *Competing with the World's Best*. There would be no healthy British economy without vigorous manufacturing. Hence three quarters of the trade and industry budget was now directed to manufacturing.

Britain's improvements in investment, productivity and exporting had seen the nation's share of world trade in manufacturing doing better than France, Germany, America and Japan. Britain was succeeding in world markets — and it had been proved to be a more attractive place to invest in manufacturing than anywhere else in Europe.

Mr Lilley went on: "We must build on that revival as growth resumes. Above all we must attract more of the brightest and best people into manufacturing."

On the Maastricht summit, he said the government was negotiating positively but if the deal was not right for Britain and Europe they would not sign.



Corby: welcome

Leave investment to industry, says Horton

By ROSS TEBMAN INDUSTRIAL CORRESPONDENT

THE chairman of BP urged the government to leave investment decisions to companies but to take more account of industry's needs.

Robert Horton told the annual conference of the Confederation of British Industry in Bournemouth that governments were no better placed to take a long-term view of the future than business or the City — "indeed, almost certainly worse if official forecasts are anything to go by". However, the government must recognise the impact its policies had on business, he said.

Opening the CBI's debate on investment, Mr Horton called for industry to be given a more effective voice within Whitehall. There was strong implicit criticism of the Department of Trade and Industry, headed by Peter Lilley, who later joined the platform.

"Industry deserves an effective 'advocate' within Whitehall, and externally when it comes to international negotiations," he said. "There are moments when industry's case goes by default, because political time horizons tend to

be shorter than our own."

However, Mr Horton supported Mr Lilley's contention that government should not intervene in investment decisions. "That's for the investor and the customer to decide," he said.

"The truth is that the Stock Exchange still offers a highly reliable way, over time, of assessing a company's performance into the future." He urged industrialists not to look for scapegoats in the financial community. Businessmen had only themselves to blame if investors failed to take proper



Horton: criticised DTI

account of companies' prospects, he said.

Mr Horton defended the mechanism of hostile takeovers as a spur to company performance, but said that if competitor countries failed to permit takeovers by British concerns, their businesses should be barred from making acquisitions in Britain.

His caution on government policies to stimulate investment was not shared by many in his audience, however. Several speakers called for companies to be able to offset the full cost of their investments against tax, in the year in which those investments are made. Capital allowances should also be available on investments in training, and in promoting brands, they said.

Capital investment might continue to fall unless companies were given help, they added, causing the gap between British concerns and their overseas competitors to begin widening again.

Tom O'Connor, managing director of Elna Plastics, called for 100 per cent relief of inheritance tax on business assets, to help small family-owned companies to grow.

Tiresome journey on road to single market

By OUR INDUSTRIAL CORRESPONDENT

BRITAIN's business leaders gave vent to their fears and frustration over Europe's unsteady progress towards a single market.

Border controls and the slowness of some European states to implement Community legislation continued to distort competition, speakers said.

Delegates also unleashed forceful, but selective criticism of a range of European directives that threatened to push up business costs.

Tom Hutchison, a director of ICI and chairman of the Confederation of British Industry's Europe Committee, underscored the importance of Europe for business by reminding delegates that more than 50 per cent of Britain's trade was now with Community states.

Since 1988, British companies had spent more than £8 billion on 850 acquisitions in Europe, he said.

Companies were still alarmed, however, that they were not competing on a level footing throughout the Community. And although Britain's business leaders accepted many of the European

Commission's proposals on matters such as social policy, labour relations, and the environment, there were areas, such as construction, where some "wrong-headed" proposals would needlessly push up business costs.

George Younger, the former Scottish secretary who now chairs the Royal Bank of Scotland, said the Community's institutions of government would need reform if they were not to become unwieldy as the number of member states increased.

He gave warning that East-



Younger: reforms needed

ern Europe and the Soviet Union would pose a competitive challenge, as well as a market opportunity as their economies began to develop along free market lines.

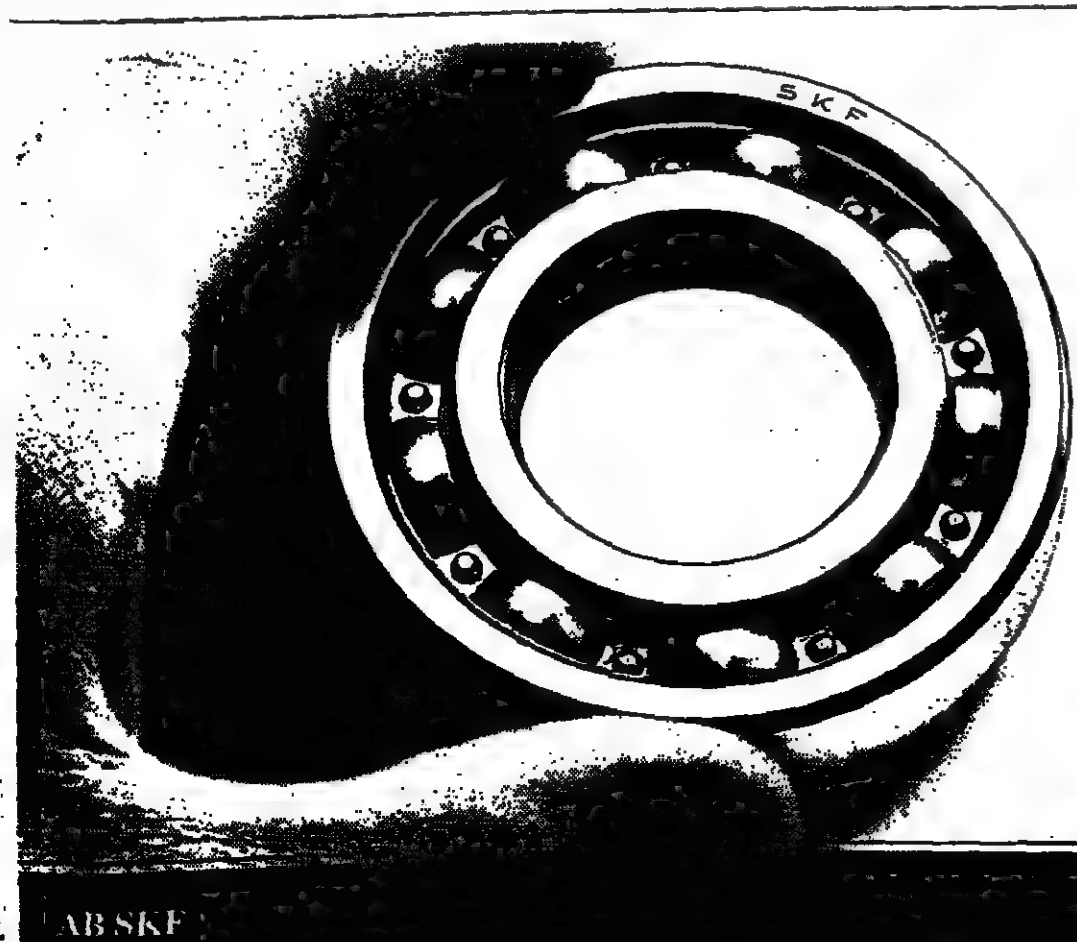
British business in general was criticised for its laggardly approach to investment in Eastern Europe.

Some speakers, however, cautioned against preoccupation with Europe, East and West, at the cost of faster growing markets elsewhere.

Iain Dale of Dale Electric International, urged delegates to look for export and investment opportunities in the countries of the Pacific rim. "Let us not be dazzled by the hype of the single market," he said.

Another speaker, Jack Gill, of BICC, the world's second biggest cable manufacturer, was loudly applauded when he chastised the government for "unilateral disarmament" in the battle for export markets outside the Community.

The British government failed to provide a level of insurance for exporters which was competitive with that offered by other countries, he said.



SKF Interim Statement

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The weak economic conditions that prevailed in Europe during the first half of the year continued during the third quarter. In the U.S., Group sales improved slightly in a generally unchanged business climate. Demand in Latin America rose from a low level.

Forecast

As these weaker trends are expected to continue, SKF's income after net financial items for the second half of 1991 will not reach the level reported for the corresponding period a year earlier.

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Average rate of exchange:
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SKF

TEMPUS

Time and price favour Ultramar in bid battle

MICHAEL Beckett, who last Thursday was propelled from the non-executive row into the chairman's seat at Ultramar, is already making his no-nonsense presence felt with a robust defence against Lasmo's hostile one-for-one takeover offer.

Ultramar shareholders, faced with what is likely to prove an initial sighting shot, should, meanwhile, sit tight. The first closing date is not until next Monday.

With Lasmo at 31p, down 4p, and their own shares at 340p, down 5p, price and time are on Ultramar's side.

Ultramar attacks what it calls an "opportunistic and derisory" offer as inadequate. It plays hard on the all-paper element, arguing that, based on one-year, three-year and ten-year price movements, Lasmo shares have limped. But then, depending on which lamp post you lean on first, any figures can look good.

Ultramar, whose chief executive officer is Jean Gaulin and chief financial officer is Peter Raven, says it is asked to bring to the party 64 per cent of combined reserves and 56 per cent of combined production for only a 53 per cent equity stake in the combined group. On the income front, and based on 1990 payments, its shareholders would be 20 per cent worse off.

A cash element to Lasmo's offer might assist its case, because so many investors hold shares in both.

Ultramar asserts that over the past five years, Lasmo's average finding cost has been 22.24 a barrel compared with its own 91p a barrel finding cost. Lasmo says its gearing is relatively low, but Ultramar's is high, at 87 per cent.

Meanwhile, Lasmo's intention to get rid of Ultramar's downstream activities has Ultramar changing that Lasmo is really after a disguised rights issue. Market estimates of net worth

range between 200p and 350p at Lasmo and between 380p and 500p a share at Ultramar. Ultramar shareholders should sit tight.

Geers Gross

SHAREHOLDERS in Geers Gross, the advertising agency, will have to wait until later this week to discover whether the 35p-a-share cash offer from Publicis, the French agency, represents good value or not.

However, given that the French group accompanied its offer with irrevocable acceptances from shareholders owning almost 36 per cent of Geers Gross and a recommendation from the board, it seems unlikely that the interim will contain any positive surprises.

Indeed, there is very little surprising about the bid. The terms may only have come yesterday, but in reality

Geers Gross as an independent agency died with its founder and chairman, Bob Gross, in April. For it was Mr Gross who dragged the company back into profit from the £3.9 million loss it made in 1987, and it was Mr Gross who saw an independent future for his agency in an industry increasingly dominated by large international groups.

Given that the French offer values Geers Gross at only £5.3 million, it is difficult to criticise the change in direction chosen by Mr Gross's successors.

Mr Gross died shortly before the agency unveiled increased pre-tax profits of £747,000 for 1990. On those figures the Publicis bid represents a historic multiple of only 9.4. This week's interim should show the French have been a little more generous. At 33p, hold for the results.



Sitting tight: Peter Raven and Jean Gaulin yesterday

SELLERS dominated London stock markets as caution prevailed in what is expected by the City to be a testing week for the government, with three by-elections due to take place on Thursday.

With little good news on the horizon to inspire investment activity mid-way through the account, shares suffered widespread declines in low turnover, while a hefty early deficit on Wall Street further depressed sentiment.

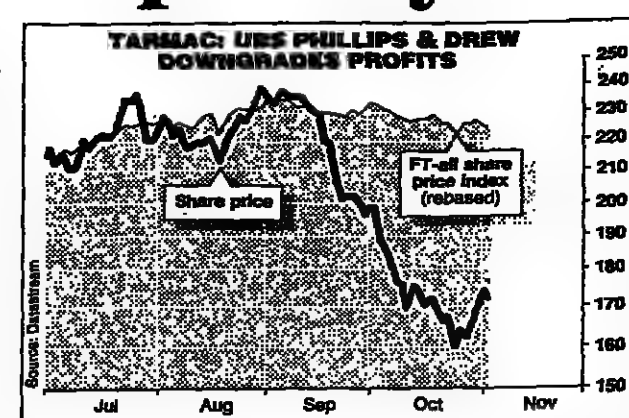
The FT-SE 100 index fell 21.7 points to 2,527.8. The narrower FT index of 30 shares lost 17.4 to 1,953.3. Volume only reached a poor 366.4 million shares. Government securities recovered early falls to close 1/8 firmer.

A number of sizable chunks of stock appeared on offer as several fund managers trimmed their holdings. Redland, the building materials group, slipped 10p to 520p, on volume of 3.4 million, as Cazenove placed 1.8 million shares at 522p.

Laird Group, the specialist engineer, fell 13p to 249p, on volume of 15 million shares, after Warburg was said to have placed 8 million shares at 248p. Tiphook, the transport and container rental company, fell 16p to 51p as half-a-million shares were placed.

A reported attempt by County NatWest to find a new home for 5 million Tesco shares was said to have run up against opposition, with the supermarket group ending 2p lower at 237p, on volume of 2.6 million.

A profit downgrade from the building team at URS Phillips & Drew knocked Tarmac, Britain's biggest house-builder, as the broker turned bearish on prospects for the sector. The shares ended 2p lower at 172p. This year's forecast is down from £100 million to £83 million, against £190.7 million last time, and the broker expects the net dividend to be cut from 11.25p to 8.25p a share. P&D has also slashed its forecast for the year to end-December 1992, from £145 million to



£90 million. Khalid Nazir, an analyst at P&D, said the effect of the projected increase in repossessions was the main issue.

The number of repossessions is expected to reach 85,000 this year, up from under 44,000 last year, and the total is projected to swell to 115,000 next year. "Housing is going to see a very anaemic recovery next year. There is a lot of stock in the market," he said. Mr Nazir expects commercial construction output to be down about 40 per

cent next year, against 30 per cent previously forecast.

The bleak outlook took its toll elsewhere in the sector. Blue Circle fell 5p to 235p, while RMC lost 9p to 573p. Against the trend, Steetley, which has been weak lately, and where some foresee a rights issue, advanced 9p to 287p, with the shares buoyed by bid speculation, although volume reached only 738,000.

Concern about mortgage indemnity losses saw Legal & General drift 7p lower to 361p, while Royal Insurance fell 11p to 287p, and BAT, which is exposed through its Eagle Star subsidiary, ended 9p lower at 627p. Hopes that Asda's £357 million rights

issue, which closes on Friday, will be successful, initially helped the shares add 1p, although they closed unchanged at 42p. This compares with the rights issue price of 35p. The nil-paid eased 1/2p to 7p, as volume surged to 31 million.

Ranks Hovis fell 7p to 247p, with stock on offer, while a combination of stock overhang and failure to win a Norwegian contract saw Vodafone end 12p lower at 370p.

BT continued to come under pressure after the cautious statement that accompanied last week's disappointing second quarter figures, combined with regulatory worries, with the possibility that BT's pricing structure could be referred to the Monopolies and Mergers Commission, and political uncertainties.

BT shares ended 7 1/2p lower at 359p, on volume of 6.5 million shares, giving a two-day loss of 23 1/2p. Some analysts say that the downside may be another 10 per cent.

Meanwhile, profit-taking saw Glaxo retreat by 16p to 768p, with the combined falls in Glaxo and BT responsible for about one-third of the

decline in the index. Hawker Siddeley, steady at 722p, confirmed reports that it expects profits of £130 million for the 12 months to end-December, against £140.4 million.

The £1.4 billion hostile bid from BTR, which controls 7.3 per cent of its target, has been extended to November 15. BTR eased 1 1/2p to 390 1/2p.

The war of words in the £1.1 billion oil company takeover battle continued, with Lasso down 4p to 311p, and Ultramar 3p easier to 340p.

Against the trend, Abbey National firmed 3p to 281p, as brokers turned positive after meetings with analysts at the end of last week.

In its latest quarterly review of the engineering sector, Panmure Gordon says encouraging signs are beginning to emerge, but there is still a lack of momentum. Among Panmure's recommended buys from the engineering, metals and motor sectors, are Smiths Industries, up 2p to 257p, which has been rumoured as a possible bidder for Dowty, Babcock, off 1/2p to 58 1/2p, BVI, down 3 1/2p to 236 1/2p, Johnson Matthey, up 3p to 333p, and Lucas, 1p easier at 135p. Those rated as a sell include Dowty, 7p lower at 174p, Vickers, unchanged at 152p, Glyndwr, down 1p to 226p, and GKN, 3p easier at 330p.

Shares in Proteus, the USM-quoted company that develops computer software for use in design, continued its advance after last week's news of an American HIV materials exchange agreement. The shares added 19p to 169p, after 184p, giving a two-day rise of 74p.

Resold, the engineering group, fell 5 1/2p before recovering to close 6p lower at 58p, after reporting an interim loss and passing its dividend. S W Wood, the steel trader, lost 10p to 56p after sliding into the red at the interim stage. With the door open to bidders, talk of a takeover deal helped lift Ferrand 1p to 84p.

PHILIP PANGALOS

Britain opposes Euro TV standard

FROM TOM WALKER IN BRUSSELS

BRITAIN is fighting a European Commission plan to develop a high-definition television (HDTV) system to rival those evolving in Japan and America because it would impose a European standard on people.

The British-led consumer-first camp, which also comprises Spain, Denmark, Ireland and Luxembourg, was countered by France and the Netherlands, which want the commission to pump billions of pounds into a new 1,250-line television technology, called HDMAC, invented by Philips and Thomson.

The Dutch presidency of the EC is confident it can push through a compromise by the end of the year, but Filippo Maria Pandolfi, EC telecommunications commissioner, will now have to water down his proposals to get them past ministers.

"There is no chance of the directive, as tabled, being carried," said Britain's John Redwood, junior minister. He insisted that existing satellite television services should not be penalised because they do not conform to the new format.

It therefore seems likely that the extent to which the EC's broadcasters will be committed to making and transmitting MAC programmes, in an intermediate format called D2MAC, will be much more limited than had been envisaged by Mr Pandolfi.

Mr Redwood also said the 1 billion cuts (about £714 million) with which the commissioner is trying to woo the broadcasters to his new technology is extremely contentious. "This is money targeted at what basically is a very well-off group of consumers," he said. The only 1,250-line MAC television set on the market at the moment, made by Thomson, costs £18,000. Japan is set to begin HDTV broadcasts this year. In America, an all-digital HDTV technology that could offer better pictures than HDMAC could be on the market by 1994.

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Successful office furniture manufacturing company based in the South of England. Profitable business with strong turnover and excellent cash flow. For further information, contact Colin Jones at Trenchard House, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

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Ferranti set for takeover

Ferranti International's two-year struggle to extricate itself from the debt and intrigue which almost shattered the company may still not be quite enough to propel the group toward a new, independent future.

While American authorities charged former executives of Ferranti's American division, International Signal and Control, and Ferranti appears finally to be in a position to negotiate a new funding programme with its bankers here in Britain, there is a question of what Ferranti will do to grow its heavily pruned businesses at a time when defence contracts are increasingly rare. Patient shareholders may soon find that a friendly bid would be an attractive alternative to uncertainty.

Ferranti's merger in 1987 with ISC, the creation of James Guerin, who was named as the ringleader of fraud by the American authorities last week, was considered at that time to be the best way forward for the group. ISC purported to have some enviable defence contracts with Pakistan and Middle Eastern countries and Ferranti hoped it could piggyback sales of its own products through these contracts.

In September 1989 however, four months after Mr Guerin left the board as deputy chairman, Ferranti said a £250m hole had been found in its assets and a large-scale fire sale was necessary to stop the company's banks demanding receivership.

Much of the patient work put in by the new management has borne fruit through disposals and other efforts to pay down debt and pare operations back to a profitable core. Earlier this year Ferranti secured a claim against former auditors Peat Marwick for £40m in August, further cutting its bank's borrowings which still threatened the company's future.

Last week's charges against Mr Guerin and others for fraud and illegal arms sales to South Africa are the culmination of not only an expensive, transatlantic investigation but also could be described as Ferranti being given a clean bill of health. So far there has not been any indication that any Ferranti executives were involved in the wrongdoing and this should provide shareholders and bankers with the confidence to stand by the company. It should also provide any prospective predator with the confidence that no more skeletons remain to be discovered, surely the starting point for any long term solution for the company.

Chain reaction

The complex tangle for MacCarthy, owner of the Savory & Moore chemists chain, rumbles on even after all three bids for the company have lapsed.

Medicopharm, the Dutch concern, that was MacCarthy's largest supplier, yesterday closed its British operation. The company faces difficult times at home and in America, which has caused the resignation of its chairman last week, and has opted to retrench to concentrate on core businesses.

Medicopharm's claims it was unable to sell its UK business to a rival British supplier, the UniChem or AAH Holdings after it was made clear that such a deal would be viewed unfavourably by the Office of Fair Trading because of concerns about competition in the wholesaling of prescription drugs. Unable to secure a foreign buyer, Medicopharm chose to close the business which it had acquired from MacCarthy for £19 million only last year. And MacCarthy, anxious to ensure continuity of supply, has turned to AAH to replace Medicopharm, at least in the short term.

So in effect the loss of competition that the OFT sought to avert has occurred anyway. There seems little to prevent UniChem and AAH carving up Medicopharm's market share and increasing their own share, which in each case already amounts to about 28 per cent.

MacCarthy is now free to negotiate a new long-term contract and, given its strong position in a weak market, should be able to dictate better terms that will have a favourable impact on its business. But shareholders should closely scrutinise any agreement with UniChem or AAH which is followed early next year by a recommended bid from either supplier.

Meanwhile the monopolies commission has until January 15 to decide how it intends to block the creation of a duopoly that has come about even as its own regulatory deliberates.

Maverick pays price for loans that were not safe as houses

As the Town & Country sees its

future 'with

the Woolwich',

Lindsay Cook reports

on the background to

the merger and

assesses the outlook

for the societies

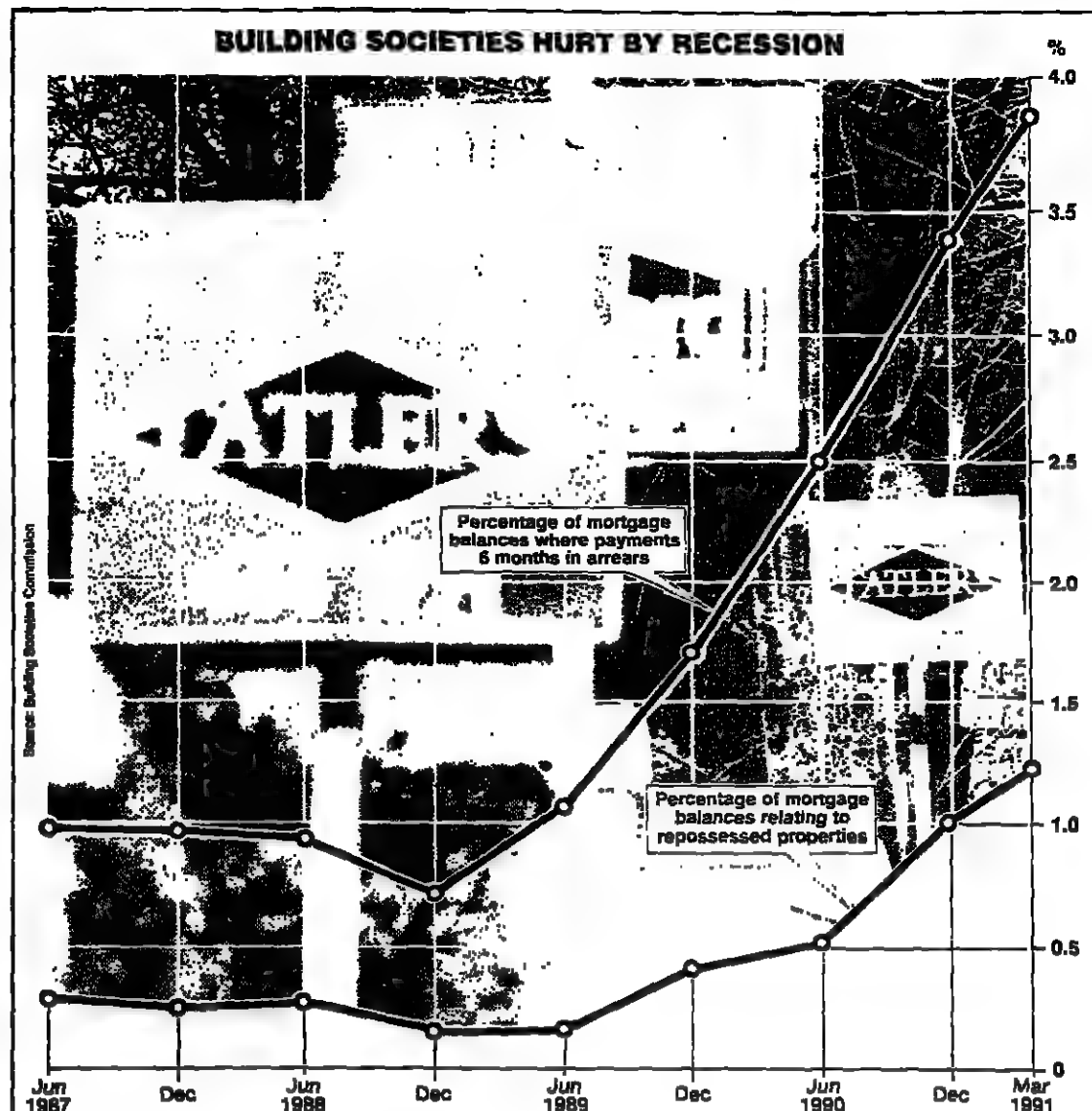
The Building Societies Commission has had to steady the nerves of building society savers three times this year. In February, the Leamington Spa was forced to announce its merger with the Bradford & Bingley ahead of revealing £3.6 million losses for last year. In August, the Woolwich was prevailed upon to provide standby funds for the Southdown. Now the Woolwich is set to take over the fifth-largest society, the Town & Country.

The £2.2 billion Town & Country has been forced to accept a merger rather than let the industry face a loss of confidence. The London-based society is expected to announce losses of around £10 million for the current year after making bad debt provisions of about £45 million. Last year its profits were cut by £11 million of provisions to £19 million. The society had reserves of £146 million at the end of last year and the second strongest reserves/assets ratio of the top 20 societies at 7.3 per cent.

The Commission had prodded the two societies towards merger to prevent a run on funds. By last night, branches of the T&C on the south coast, which had reported above-average withdrawals in the morning, were seeing the money return. Ian Bell, the society's managing director, said: "The Building Societies Commission is very vigorous in wishing to protect building society customers."

The T&C's problems stem largely from its location in the country. Its customer base has been hardest hit by the recession, but its maverick business methods have also contributed. The scheme that helped it to the top of the building society performance tables in 1988 has brought about the losses that will lead to its demise.

Usually, the society has underwritten most of its own mortgage indemnity cover. This insurance



covers lenders when they make loans of more than 70 per cent of the value of a property, should the borrower default and the lender not be able to get its money back. In the years of ever rising property prices, this meant the society pocketed the premiums and had no call on these funds to cover losses. With record repossessions and arrears, it is suffering a double hit.

In 1989, T&C launched a credit card offering the cheapest rate of interest and no annual fee. As a result it attracted a large number of refugees from other credit card companies as they imposed annual fees. The larger issuers did not understand why the T&C should compete so hard for unprofitable business. The year it launched its Visa credit card, T&C announced it

had appointed a mortgage agent in Hong Kong. Much of its mortgage business in the UK was through intermediaries. In the late Eighties, as property prices boomed, this business helped it to grow its mortgage book fast.

Five years ago the Leeds Permanent Building Society tried to merge with the Town & Country but the deal did not go ahead.

The top five society chiefs met Rosalind Gilmore, the building societies commissioner, at the weekend to discuss the situation at the T&C. Talks with the Woolwich were already well advanced. The Halifax, the largest society, was the first choice of the Commission and had preliminary talks, but yesterday announced these had terminated. The marriage of the Woolwich and

T&C is not a natural one. The smaller society has 78 branches, 39 of which are in the same centres as Woolwich branches. This is likely to mean large-scale closures as duplication of branches is costly.

John Wrigglesworth, building societies analyst at UBS Phillips & Drew, the broker, said: "If the Bank of England had the same attitude as the Commission we would have lots of mergers." He continued that no other top 20 society had similar problems. "Despite the worst recession for 40 years, building societies are still the safest depository for savings."

A few societies may report losses for this year. Some may be strong-armed into merger. Others should be allowed to ride out the ups and downs of the market.

PHILIP ROBINSON

Windfalls on the way with more mergers

UP TO ten building society mergers are expected by the time all the annual figures for 1991 are released. Many of the top ten societies from the Leeds downwards are keen to grow through merger and are looking for opportunities to expand their networks. Some

small societies with healthy reserves, which would not have considered such a move in the past, may be propelled into merger talks by the prospect of announcing much reduced profits or even losses. Others may decide that there is no future for societies of

their size. There are likely to be windfall gains for savers and borrowers in the form of bonuses. These are usually the difference between the reserve/asset ratios of the two societies.

Societies that may succumb include the Lambeth, Chelsea, and City & Metropolitan. The

most successful mergers involve a large society taking on a much smaller one where there is little crossover of branches. Otherwise the merger does not bring about the desired increase in market share.

BUSINESS LETTERS

Welcome end to SE information monopoly

From Mr Julian Bray, managing director, ASM Limited
Sir, The news that from January 1992, price-sensitive company information is no longer the monopoly of the London Stock Exchange and may be released to other news organisations is well overdue.

Some say the new arrangements will encourage insider dealing but in reality, most company announcements have already been widely distributed in draft form prior to publication on Topic or RNS to professional advisers such as public relations and marketing consultancies.

The new arrangements will eliminate the "Friday night drop" where information targeted for use by Sunday newspapers is informally discussed ahead of formal release as wider and immediate

electronic worldwide distribution will effectively eliminate any time advantage. It is not widely realised that the Stock Exchange before releasing information on behalf of its listed and designated companies will summarise or edit important announcements — and in one case to my certain knowledge mislead on the vital element of the story.

They will also attach their own headlines to the summarised information. At no time will this editorial process have been cleared or sanctioned by the listed company concerned.

This process is not carried out by journalists (as would be the case in a regular news organisation).

In addition, the full text will be carried but be accessible only if you subscribe to the full service. Consequently, the full text is seldom looked at.

It will also put an end to the highly complicated and exceptionally expensive encrypted computer communications and modern package forced on to listed and designated companies by the Stock Exchange.

We welcome the news and look forward to an increasingly competitive environment where Stock Exchange information services will now be performance driven.

Yours faithfully,
JULIAN BRAY,
managing director,
Alpha Strategy Management Limited,
Alpha House,
17 Coleridge Road,
N8.

Rule change will make insider dealing more difficult

From the Minister for Corporate Affairs
Sir, I am writing to correct the misleading impression given by your Comment (November 1) on my decision on the arrangements for disseminating company announcements.

Your Comment was wrong to suggest that when the Stock Exchange changes its rules in January there will be no central release point for price sensitive information. Companies will still be required to give announcements to the Stock Exchange which will release them through its regulatory news service. The new arrangements fully recognise the distinction between the Stock Exchange's regulatory role and that of news vendors, including the Exchange's own Topic system, and ensure that anyone wishing to have access to all company announce-

ments will still be able to do so.

The new arrangements will provide an additional option for companies. They will be free, if they wish, to pass announcements to news vendors at the same time as they are given to the Exchange. No one is being forced to use this freedom, and many may decide to carry on as before. At present news vendors take the output of the Exchange's regulatory news service but the timing of its appearance depends on news vendors' own systems and on the length of time it takes the Exchange to release it.

Competition between news vendors and direct release of information to them by companies will mean that information gets to the market more quickly. The change will not, as you suggest, have the effect of encouraging insider

dealing, but make it more difficult, by reducing the time between a company releasing the information and its appearance on a screen.

The US requires publication to news vendors in parallel with disclosure to the regulator. They have not felt constrained to move over to our monopoly system despite being as hawkish on insider dealing as we are. Whilst there are differences in our two markets, the US feels investors are better protected by insisting on more than one news vendor making the information available.

JOHN REDWOOD,
Department of Trade and Industry.

Letters to The Times Business and Finance section can be sent by fax on 071-782 5112.

THE TIMES CITY DIARY

Return to legal roots

MARK Phyllian-Adams, the corporate financier who took over from Lord Spens at Henry Ansbacher after the Guinness affair, is returning to his roots as a solicitor. He has joined Bischoff, a firm of legal advisers on the City Road, to build up a corporate finance arm. "For quite a time I have wanted to get back into the law," says Phyllian-Adams, aged 47, who joined Ansbacher as head of corporate finance in 1987 after most of the existing team, led by Lord Spens, resigned. As if this was not challenging enough, he went on to become deputy managing director of British and Commonwealth Merchant Bank — only three months before the collapse of Atlantic Computers, a B&C subsidiary. Restoring his 16th century house in Cumbria must seem relaxing in comparison.

TRAFFIC sign observed in the financial district of Qatar: "A fatal accident may cost you your life."

Brewing up advice

TIM Wright, high-flying head of corporate finance at Williams de Broe, has boosted his team by luring Tim Worledge and Trevor Inglis from ANZ Merchant Bank. Their addition leaves Williams de Broe well placed to advise Britain's brewers, which have until next November to reduce their tied estates to a government-determined maximum limit. Worledge, aged 39, advised



GRAFFITO on a noticeboard in the Square Mile: "Smart people speak from experience. Smarter people, from experience, do not speak."

Venables signs

AMONG those who flocked to the opening of Philip Green's new Westside clothing store in Oxford Street last week was Terry Venables, who flung himself wholeheartedly into the spirit of the occasion. It was a rare sighting of the man who spends most of his life keeping Tottenham Hotspur one step ahead of creditors. There were signs, however, that Spurs' financial fortunes may have improved. Venables left the Armani and Cerrutti-laden showroom clutching a new shirt and tie worth about £120 — possibly his biggest purchase he has made all year.

Zygoparc sold

IN A surprise reappearance on the corporate scene, Tony Clegg, Highland cattle breeder and former chairman of the Mountleigh property group, has sold Zygoparc, the biggest leisure complex on the French Riviera, for up to £8.5 million. Clegg, who sold his Mountleigh stake for £70 million in 1989 to Nelson Feltz and Peter May, has had less luck with Zygoparc, which he bought from Paul Bloomfield, this former right-hand man. The water and amusement park, which ran up huge losses in its five-year history, is to be turned into an airport depot by the Nice Chamber of Commerce.

JON ASHWORTH

Plastic slalom

THE City's skiers are preparing for their first clash of the season, but plastic, not snow, will be in evidence for the slalom relay competition in London on November 21. The event has not been held since 1987 when an over-enthusiastic broker crashed into the spectators at the end of his run. Mark Abbott of Goldman Sachs — described by colleagues as "a cross between Mel Gibson and the Incredible Hulk" — captains the Stock Exchange ski club. Abbott may have to get to the competition by bus because his fiery red Porsche was stolen from outside his Fulham flat three weeks ago.

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No.	Company	Group	Share Price	Dividend
1	Wardle Stores	Chemicals	1.10	1.10
2	Land Sec	Property	1.10	1.10
3	Yule Cans	Chemicals	1.10	1.10
4	Yorkshire W	Water	1.10	1.10
5	Tennant	Electrical	1.10	1.10
6	Burroughs	Leisure	1.10	1.10
7	Peddingham	Food	1.10	1.10
8	Seaton Health	Health	1.10	1.10
9	Abbey National	Banking	1.10	1.10
10	Mid-Carson	Industrial	1.10	1.10
11	The Polcon Group	Leisure	1.10	1.10
12	BOC	Industrial	1.10	1.10
13	Miridon W	Breweries	1.10	1.10
14	Phyco	Chemicals	1.10	1.10
15	Producers Milk	Food	1.10	1.10
16	Northgate	Monoculture	1.10	1.10
17	Stroy Hotel A	Hotels	1.10	1.10
18	Acorn	Dispersal	1.10	1.10
19	Lapointe	Chemicals	1.10	1.10
20	Claydon	Chemicals	1.10	1.10
21	Claydon	Chemicals	1.10	1.10
22	Claydon	Chemicals	1.10	1.10
23	Claydon	Chemicals	1.10	1.10
24	Claydon	Chemicals	1.10	1.10
25	Claydon	Chemicals	1.10	1.10
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40	Claydon	Chemicals	1.10	1.10
41	Claydon	Chemicals	1.10	1.10
42	Claydon	Chemicals	1.10	1.10
43	Claydon	Chemicals	1.10	1.10
44	Claydon	Chemicals	1.10	1.10
45	Claydon	Chemicals	1.10	1.10
46	Claydon	Chemicals	1.10	1.10
47	Claydon	Chemicals	1.10	1.10
48	Claydon	Chemicals	1.10	1.10
49	Claydon	Chemicals	1.10	1.10
50	Claydon	Chemicals	1.10	1.10

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Please take into account any minus signs

Weekly Dividend

Please make a note of your daily totals for the weekly dividend of £8,000 in Saturday's newspaper.

MON TUE WED THU FRI SAT SUN

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Widespread losses

ACCOUNT DAYS: Dealings began October 28. Dealings end November 5. Contingent day November 11. Settlement day November 16. Forward bargains are permitted on two previous business days. Prices recorded are at market close. Changes are calculated on the previous day's close, but adjustments are made when a stock is revalued. Where one price is quoted, it is a middle price. Changes, yields and price/earnings ratios are based on middle prices.

100001 High Low Company Price % Net % P/E

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Portfolio

PLATINUM

From your Portfolio Platinum card check your share price movements on this page only. Add them up to give you your overall total and check this against the daily dividend figure. If it matches you have won outright or a share of the daily prize money. If you win, follow the claim procedure on the back of your card. Always have your card available when claiming. Claim rules appear on the back of your card.

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Clean, but not quite green

Businesses are taking environmental concerns more seriously, but will be told this month that they could do better. Malcolm Brown reports

Many businesses are continuing to finance projects to lessen the effect of their industries, businesses and products on the environment, not least because of the directives included in last year's Environment Protection Act.

Given the severity of the recession, and the limits it imposes on spending, this is commendable. Yet are the efforts of British companies to become more environment-friendly good enough? British business will later this month see an important new survey of industry's attitude to the environment whose main verdict is: "Could do much better".

The report, "The Corporate Environmentalists", by Sustainability, an environmental consultancy, looks at 50 countries to determine the extent to which business is becoming involved in development and environmental protection.

And today industrialists will debate the environment issue at the Confederation of British Industry's annual conference in Bourne, Lincolnshire. Tony Cleaver, the chairman and chief executive of IBM UK, will introduce a session considering case studies of leading British companies that try to be good environmentalists.

Last year a poll conducted for the accountants Coopers & Lybrand Deloitte, one of the sponsors of an environmental initiative by the Confederation of British Industry, said that almost 90 per cent of 108 finance directors in leading companies rated the environment a significant concern for their businesses.

The report said that companies were, however, slow to respond in practical terms. Of the companies surveyed in the Coopers & Lybrand poll, only 54 per cent had considered in detail the impact of the environment on their businesses. 56 per cent did not yet have a formal environment policy and fewer than 30 per cent had ever commented in annual reports on the environment.

However, Mr John Elkington, a director of Sustainability, believes "The Corporate Environmentalists" signals the emergence of an encouraging phenomenon in which some companies, particularly multinationals, are realising that concern for the environment is central to their corporate well-being, and not just a peripheral issue. He says: "The key trend is what some American companies call 'corporate environmentalism'. Instead of being pushed by regulators and environmentalists, some companies are, in a sense,



Sensitive move: David Brown, winner of an award for his work on the manor house and barn for the Wildlife Trusts, is seen in the foreground. It is one of five top awards made by the Business Commitment to the Environment panel (see page 31).

saying: 'To hell with that. If this is going to be a central requirement of our market, we have to be on top of it'.

Environmentalists say the government could also do better, although there seems broad agreement that Michael Heseltine, the environment secretary, is an improvement on Christopher Patten, his predecessor. Mr Patten introduced only what environmentalists thought was a puny set of reforms.

Approval was won by Mr Heseltine in September when he published the first of what is to be a series of annual audits of Whitehall's own environmental performance. The 200-page report sets out the progress made on all the 352 policy aims made in the 1990 environment white paper, from energy-efficiency labelling schemes to improving protection for ancient monuments.

Environmentalists will now be watching Mr Heseltine to see how he applies his energies and reputation behind agencies such as Her Majesty's Inspectorate of Pollution, which polices the new system of integrated pollution control introduced by the Environmental Protection Act.

Many environmentalists considered the Act a disappointment, but the integrated pollution control scheme could do much to lower pollution by companies working in "difficult" industries.

The legislation requires companies involved in activities where there is a potential for bad pollution to get individual operating licences for plants, covering all aspects of their operations, from gases to effluents.

The licences — and the environment department believes that up to 5,000 plants may require them — oblige a company to use the best available technology to minimise pollution. An important qualification to the "best available" technology requirement is "not entailing excessive cost". Environmental campaigners use the acronym "batnec" to describe the requirement.

Andrew Lees, the campaign's director of Friends of the Earth, says: "In an attempt to balance excessive cost against best available techniques, the greater the operating life of a production plant, the easier it is for its users to say that the cost of upgrading, taking account of the plant's remaining operating life, is excessive."

The system could in effect reward companies for not investing in clean technology. Mr Lees explains: "It allows companies to say: 'Look, we have a dinosaur. It is going to cost us a lot of money to bring our equipment up to standard and though it makes sense to close it down, it has X years of operating life left, so by the batnec principle, you must let us carry on'."



Sensitive move: David Brown, winner of an award for his work on the manor house and barn for the Wildlife Trusts, is seen in the foreground. It is one of five top awards made by the Business Commitment to the Environment panel (see page 31).



Improvement: Mr Heseltine

Britain sets the ecology standard

A 'green yardstick' for British industry will be published next year which Europe may follow

Britain is about to make amends for damage to the environment. Having launched heavy industry on the world — with its attendant large-scale pollution — the UK will shortly be the first country to give all its industry a "green yardstick" for environmental performance.

In the new year, the British Standards Institution (BSI) will publish one of the most ambitious standards ever devised, for environmental management systems.

Its 20 pages will recommend how a company should organise itself so that all its environmental impacts are quantified and targeted for control as part of the management of the business. It will require a detailed environment policy to be published and implemented from boardroom to shopfloor.

This is the business community's official guide on How To Be Seriously Green, and it is

arousing great enthusiasm. When the draft was offered for comment in June, more than 140 companies and organisations responded with more than 1,000 suggestions, so this month's intended publication date has been put back, probably until March, to take them into account.

"The level of interest in it has been phenomenal," Michael Gilbert, the standard's project manager, says. Increased pressure on industry to perform well environmentally has contributed to that interest. "The costs of

environmental failure are significantly higher," Mr Gilbert says. "Oil spills used to be, 'Ooops! Sorry!' then business as usual. Future problems with environmental performance could lead to company directors being personally sued, and businesses closed down."

There are also incentives to performing well: a recognisably green firm is likely to see its products gain a market edge, and be on a sounder basis with its customers and investors.

The BSI environmental management systems

standard will offer the first common criterion against which success can be judged. It will be voluntary. If it is too much trouble to bother with, no one is going to prosecute you (not yet, anyway).

However, compliance may be independently verified, and once a company can proclaim the standard's adoption, it will stand as a credential of its environmental commitment, a sort of eco-label for the firm as a whole.

The discipline the standard will impose on the

use of resources, from raw materials to transport costs and the electricity bill, is likely to provide significant cash savings, and its systematic management will undoubtedly bring down premiums from insurance companies increasingly concerned about environmental accidents.

The approach of the standard is that much of industry is now at home with its structure is inspired by the celebrated standard for quality control management, BS 5750, which more than 10,000 companies have adopted.

It will also provide a framework for companies to comply with the forthcoming European Community eco-auditing regulations from Brussels, for which the existence of an environmental management system will be a prerequisite.

MICHAEL MCCARTHY
Environment Correspondent

WITH OUR
NEW CUSTOMER
SERVICE
CENTRE, OUR
PERFORMANCE
IS ALWAYS
UNDER REVIEW.

If you'd like to audition Shell, you can now talk directly to a member of the cast. From a faulty petrol pump, to our position on environmental issues, we won't need much prompting. And if you're looking for assistance, we're fully



rehearsed to act on your behalf. Whatever the scenario, simply telephone free on 0800 010 100 and help us to polish our performance. YOU CAN TELL WHEN IT'S SHELL.

Industrial Landscape



All too often, industrial progress has led to environmental reverses. But not always: fortunately for our countryside and wildlife, British Gas has shown consistent concern for the environment during nearly two decades of unparalleled growth.

Since natural gas first came ashore from the North Sea, British Gas has constructed a national network of unseen, underground pipelines, thousands of miles long. It has sited and landscaped the various installations needed to provide an efficient and reliable gas supply to 18 million customers to harmonise with the rural environment. Some of these installations are so acceptable to nature that they have become, in effect, small

nature reserves, inhabited by the most unexpected flora and fauna.

In fact the development of underground gas storage in salt cavities, together with undersea storage in the revolutionary Rough Field project, off the North Humber coast, have helped to make the process of gas supply more economic and even more unobtrusive.

Why do the gas people show so much concern for the countryside? Because the relationship between British Gas and the community isn't just a commercial one — it depends on mutual goodwill. That's one of the reasons why we put a lot of energy into dealing with our social responsibilities.

British Gas

A new urgency in the fresher air

The Business Commitment to the Environment panel, a group of business executives, led by Sir Peter Parker, who make annual awards to encourage industry to think more deeply about the environment, today announces five "premier" BCE awards and 14 major commendations. *Malcolm Brown writes.*

The climate of opinion on environmental matters has altered, says Sir Peter, who is the chairman of the BCE panel and president of the BCE panel which is making its latest awards to companies which have made a significant contribution on green issues.

"The Zeitgeist is different," Sir Peter says. "Of course, it isn't producing action quick enough for those of us who are crusaders, but we have to keep pushing and I certainly see better results."

When the panel began giving awards in the mid-1970s, environmental matters were very much an optional extra. "People slapped on environmental policies rather like a marmalade cherry on the grapefruit," Sir Peter says. He believes people now think the environment requires more than just cosmetic changes. "It's now, and people realise it, smack central on the agenda," he says.

That realisation does not always produce the action people Sir Peter would like to see. Things are better than ten or 15 years ago, but there is still a long way to go.

"Something one's got to keep saying to people is, 'don't wait for the legislation'. Boards tend to play it when they're pushed and say, 'We are not going to be in the van of this, it's too difficult, too dangerous, distracting', and so on, and they wait to be pushed."

"I think that point has passed. That is the new urgency in the air."

There were 110 entries for the awards this year, according to Tony Shillingford, the honorary secretary of the awards committee, a big improvement on last year despite the recession.

There are five "premier" awards this year and 14 "major commendations".

The "premier" awards include:

● The Rover Group, for a programme to eliminate ozone-depleting chlorofluorocarbons (CFCs) from its vehicles and its manufacturing process.

Rover made the decision in the

Rover and Stansted Airport are among the winners of the 1991 green industry awards

mid-1980s, and began its campaign by reviewing all aerosol products, like paint and touch-up sprays, which might contain CFCs as a propellant. It looked at its own products, and those of outside suppliers, removing CFCs from its own brands of aerosol.

To focus the CFC programme more rapidly, the group decided to make its next new car — the Rover 200, which was to be launched in 1989 — as free of CFCs as possible. The plan was to identify and eliminate any CFCs, either in the components of the Rover 200 or in the manufacturing process. That has now been done. About 15kg of CFC-based foamed components, including seats, carpet backing and insulation material, were replaced.

Engineers also scrutinised the production and research areas. Part of the programme involved changing the fire protection systems to eliminate halon discharges as far as possible. There are still small amounts of CFCs (in the air-conditioning units, for example), but these will be replaced in future models, Rover says, when alternative materials become available.

● David Brown & Partners, architects, for the masterplan for the development of the sensitive

site for the Wiltshire building group headquarters.

The architects were approached by Wiltshire in 1987 to scrutinise the Manor Court site, in Harmondsworth, a mile north of Heathrow airport. The site contains a Grade II listed building, the 19th-century manor house, and a Grade I listed building and scheduled ancient monument, the great barn, which dates from 1426 and is regarded as one of the finest timber-framed buildings in England.

The development included a new office building grafted on to a refurbished stable block and a second office building adjacent to the great barn. The architects also suggested that the granary, which had previously been hidden behind the manor house, should be moved into the central area. That involved putting the building on a steel framework and lifting it across the site with a crane.

● Stansted Airport, for the landscaping and ecology work accompanying the construction of its new terminal and parking facilities.

More than 180 acres were planted with 250,000 trees and shrubs and nearly three miles of hedgerows were put in, at a cost of £3 million. More than 200 acres (about 10 per cent of the total airport land area) were landscaped.

The entry from Stansted was not concerned with the design and layout of the new airport buildings and operational facilities as such,



New leaf: Alan Winlow, managing director of Yorkshire Brick Company, which has spent ten years turning one of its sites into a nature area

but these were important because they set the constraints for the landscaping and ecological plan. For instance, the decision to limit the height of the terminal to that of the nearby woodland canopy was an important factor.

● Yorkshire Brick Company, for a ten-year land restoration and conservation project at the company's Stairfoot site in Barnsley.

The scheme was two-pronged. Basing the landscaping on plans of the how the area looked in 1893, the company restored to agricultural and public amenity use clay quarries which had formerly been used as landfill sites for

domestic rubbish. It also used the methane gas produced by the decomposing rubbish as a power source for its nearby kilns.

Yorkshire Brick equipped the site with a gas abstraction system made from perforated recycled polypropylene pipe. A clay cap was laid over the newly created landforms to prevent any gas escapes.

Much of the site is now a wildlife and nature conservation area. Local schools have been involved in the project, hanging bird-boxes in woodland near the brick plant to encourage birds back to the area.

The latest addition to the

scheme is a geological conservation site established with the help of the British Geological Survey. This teaching facility allows students to study a carboniferous marine band, the Mansfield marine band, which was laid down more than 300 million years ago.

The "major commendations" include:

● The Burton Group, for housing design studio spaces, exhibition halls, 200 seat conference/seminar facility and training suite; Higson Edwards (Steelstock), office refurbishment of old foundry; Mr Ray Proctor, Parc Ship Nature Park, (project creating and developing

nature park on restored open-cast coal site); Anglian Water, a policy for the environment project illustrated by work at Newbourne Springs Nature Reserve; Kodak, Annesley, Nottinghamshire, restoration of ancient osier bed; Scottish Hydro-electric, Harris Grid Substation; Hickson and Welch, environmental improvements to main works entrance at Castleford, West Yorks; Stockton-on-Tees Borough Council for the Clarendon Regeneration Project;

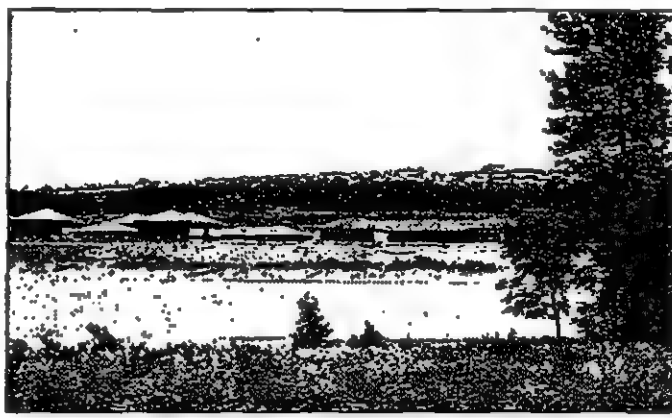
Oldham and Rochdale Groundwork Trust, enhancement of industrial premises; Lancaster City Council and Reebok UK, Moor Lane Mills, Lancaster, for conversion of derelict weaving mills into national headquarters for Reebok UK; British Rail Property Board, St Mary's House, Dumfries Station and building renovation refurbishment of vacant railway accommodation to office use; Simons Design and Lincoln City Council, The Lawn, Union Road, Lincoln, for a visitors' complex providing a mix of facilities and entertainments;

British Rail Community Unit, the Railway Enterprise Centre, Stoke-on-Trent, for starter workshops; Devenish Brewery, Brewers Quay, Weymouth, Dorset, for refurbishment of Victorian brewery and environmental works along harbour.

How dirty was the valley

SWANSEA City is one of the organisations to win recognition for Business Commitment to the Environment for its environmental work.

The council won the award for Swansea Enterprise Park. In the 19th century, lower Swansea Valley was an important metallurgical centre, but as the industry died, the area became derelict. Swansea cleaned it up and built an enterprise park, which has attracted about 300 businesses.



Today: transformed into the Swansea Enterprise Park



Yesterday: the lower Swansea Valley in the 19th century

THE SWAN HAS A RARE VISITOR.

A TALE IN WHICH WE GET A BIRD'S-EYE VIEW OF OPENCAST COAL MINING.

The mute SWAN was keeping to his usual timetable. First he had glided serenely across the lake. Then, steering with his powerful webbed feet, he had turned and glided back again. Skimming the water with his beak for tasty bits of weed.

This calm return passage was, however, suddenly interrupted.

There was a fluttering of wings above his head and a chirpy voice addressed him.

"Nice place you have here, if you don't mind my saying so. Flying from NORWAY to AFRICA for the winter we thought that looks a good place to rest... shoreline, lakes, grassland, trees... and right on our flight path from Gudvangen too."

Normally the SWAN would have agreed but, as the visitor (a smart brown bird with a vivid flash of blue at his neck) circled incessantly while he spoke, dizziness curbed his response.

"Thanks," he managed. "but it's not mine alone..."

"No, I can see that," said the visitor. "In fact, I can see CANADA CREESE, CURLEWS, CORMORANTS, PINTAILS, RUFFS, GODWITS... quite a crowd... but everyone rubbing along nicely. And no humans. Those humans can be a real nuisance."

"Actually," said the swan politely, "this lake was provided by humans. BRITISH COAL OPENCAST to be precise."

"Well, knock me down with a feather," spluttered the BLUEBIRD (for that was what he was), "you're telling me that those industrial people who go around scooping up the countryside with machines did something as fine as this? For birds?"

"I am," said the SWAN, turning round and round in the water to keep up with his excitable visitor.

It did seem a little far-fetched.

To one side lay the wild and unspoiled beauty of the dunes, shoreline and North Sea. On the other, a rolling, unkempt landscape of windswept grass and shrubs with sheltering belts of young pine trees. Ahead, flourishing reed beds, which for the past two years had provided a successful nesting site for the swans (nine cygnets in the first year alone). And which continued to supply food and shelter to a multitude of wild birds.

It was virtually impossible to distinguish the restored land from the native countryside. But very easy to see that the place was a magnet to waders and waterfowl, rare migratory species, as well as more familiar breeds.

Which was exactly what we had in mind.

Over the last decade BRITISH COAL OPENCAST haven't simply been making a profit for Britain from its shallow coal reserves, we've also become some of the world's experts on land restoration.

After the working life of each opencast mine is finished, (an average of five or six years), the site is reclaimed and restored. Over the last few years fourteen have been turned into nature reserves. Many more are planned.

The DRURIDGE BAY sequence of lakes in Northumberland (Hauxley in particular) was designed and landscaped with complete integrity as a series of coastal lagoons of a desolate beauty entirely in keeping with the adjoining shoreline and countryside.

The wildness of Hauxley may not have popular appeal for humans. It wasn't meant to. It was designed strictly for the birds... which it now attracts so successfully... and for those whose enjoyment comes from peacefully watching them.

In fact, the NORTHUMBERLAND WILDLIFE TRUST are so pleased with its success they've elected BRITISH COAL OPENCAST to corporate membership.

The BLUEBIRD was impressed too.

"Over on the next lake" the SWAN told him for good measure. "you'll find a flock of my cousins the WHOOPERS overwintering here from Iceland."

"Well, I'll certainly tell my relatives in Russia about this place, if you don't object," said the BLUEBIRD. "Of course not," the SWAN agreed graciously. "After all, 'Clasnost' should work both ways."

For more information on opencast mining and our land restoration programme, write to British Coal Opencast, 200 Lichfield House, Mansfield, Notts. NC18 4RC.

Or phone us on 0623 22681.

MORAL: MAN'S PROFIT SHOULDN'T BE THE COUNTRYSIDE'S LOSS.



Hauxley, Northumberland.

Checks to balance

Environmental auditing, one of the newest, most modish and yet most confused concepts in industrial management, is about to land with a crash on the agenda of every company in Britain.

Systematically monitoring environmental as well as financial performance has obvious and growing attractions. It helps ensure compliance with regulation, reduce insurance premiums and bolster the company's green image; yet there has hitherto been no commonly accepted approach to it.

This is about to change. In Brussels next month EC environment ministers are likely to be presented with a formal proposal for an EC eco-auditing scheme, laboriously drawn up over the last nine months by officials from the European Commission and all twelve member states. Knowledgeable members of the business community await it with keen anticipation, and with some private concern.

Nobody is publicly against environmental auditing; that would be like being against mother, marriage or Christmas. Most business leaders will welcome the principle of a common European version of a valuable new management tool. However, the EC scheme may run into corporate hostility with its details, some of which, still nebulous, hide the prospect of trouble. Participation will be voluntary, at least at first. If the proposed eco-auditing regulation is adopted, however, perhaps in about a year from now during the British presidency of the community, it will be compulsory for every EC country to set the scheme up, under a specially established competent authority. Successfully participating firms will be awarded a logo.

The scheme envisages companies conducting an initial review of the environmental performance of their business, with a fairly wide-ranging list of issues that must be taken into

Eco-auditing is soon to make its mark on businesses. Green it may be, but there are fears of red tape, says Michael McCarthy

consideration, from selection of production processes to emissions reduction. The company will then be expected to set up an internal environmental management system to control it all, and set targets and objectives against this. The environmental audit will involve how well the management system works, and how far the company reaches the targets it has set itself.

The audit will be internal: the officials drawing up the scheme recognise that few companies with a commercial secret worth the name would agree to so sensitive a probing in public. The widespread and growing demand for freedom of environmental information will not be ignored, however: it will be answered by a public statement about the audit from the company, "in a summary and non-technical form".

As the public face of the audit, the environmental statement will be key. Yet how is a member of the public to know that the company is telling the truth? Step forward, the environmental verifiers. A new body of officials is to be specially established, charged with verifying that the statements reflect the audits accurately. Where they are to come from is still vague; they might be governmental, but in practice they are likely to be drawn from the growing body of environmental consultants. How detailed the verification is to be, and whether it

will it be another full audit, or something much less, is at the moment vague also.

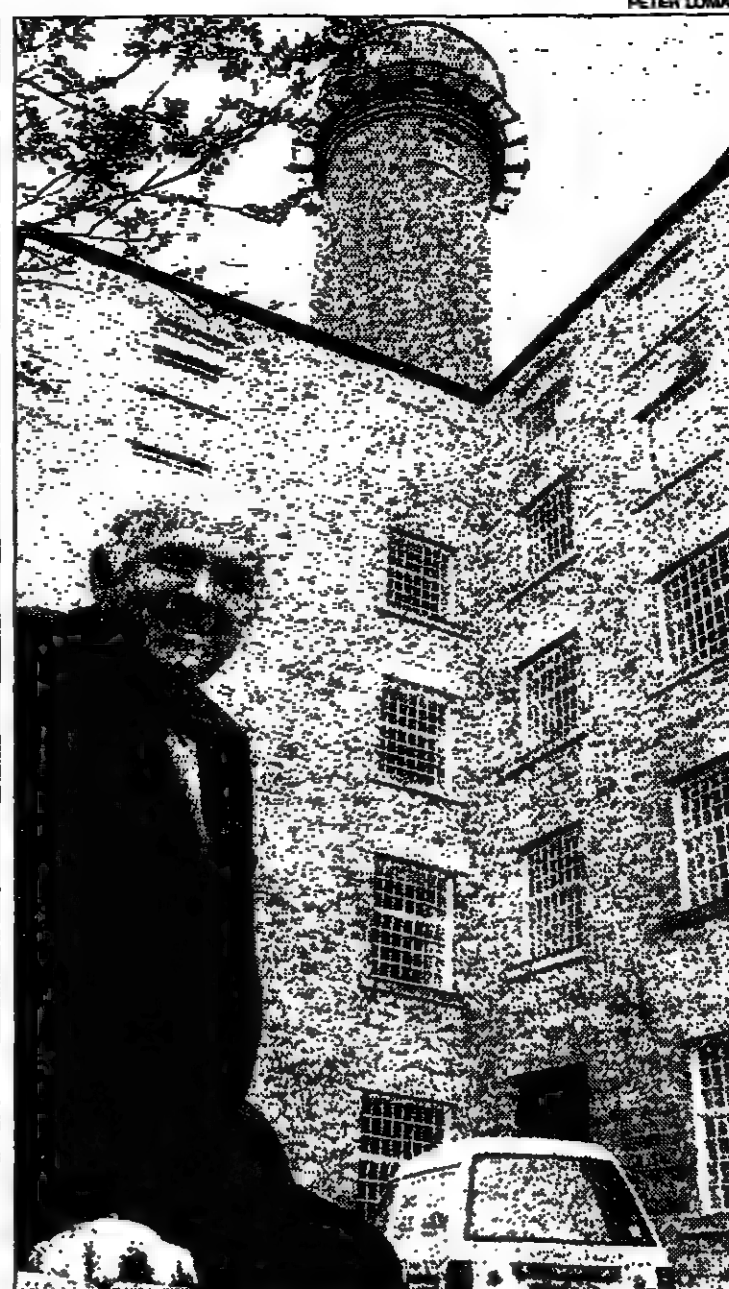
How are we to know, at this point, that the environmental verifiers are telling the truth themselves? (Especially if, as is not impossible, the auditor and the verifier might be the same environmental consultant). Enter the verifiers' accreditation system, in practice another organisation, to examine and legitimise verifiers before they start work.

A competent authority: a body of statement verifiers; a body to verify the verifiers. People are going to make remarks about burgeoning Euro-bureaucracy. The proposed scheme is undeniably cumbersome. That may be necessary to make it work. However, there is even keener criticism, which addresses itself to the whole thrust of the proposal. The eco-audits are to be of sites, not corporations. If Acme Holdings operates on 99 sites, and enters the scheme, it will need 99 audits. That will raise costs considerably.

Furthermore, the site audits will duplicate a job that is already being partly done, and could be fully done, by the regulatory authorities. An eco-audit, some critics argue, should be of the whole corporation, and of the worth of its companywide environmental management system; company law, rather than environmental law. The detailed monitoring of the emissions and other environmental impacts of individual sites is properly the responsibility of the regulators.

Her Majesty's Inspectorate of Pollution is already beginning to license and monitor industrial sites under integrated pollution control (IPC), a system likely to be copied throughout the EC. The eco-auditing scheme may be presenting a duplicate regulatory body.

The views of industry, and of Michael Heseltine, the environment secretary, known for his concern for rational management, will be awaited with interest.



Charles Wilson, development and tourism director in Lancaster, at the Moar Lane Mills, which receives a commendation today in the Business Commitment to the Environment award scheme. See page 31

A flag raised for rebirth

At last a single body is co-ordinating urban regeneration by promoting projects and sponsoring awards

The violent unrest that disfigured Newcastle, Cardiff and Oxford earlier this year brought home the need for a coherent national strategy to arrest urban decline, especially in decaying inner cities, David Rudnick writes.

But regeneration can only be effective if it is properly focused and co-ordinated. In the past a plethora of organisations sprouted in different directions, often duplicating each other's efforts and resources. So last year, in response to the obvious need for a centralised body to concentrate information and services, the British Urban Regeneration Association (BURA) was born.

BURA enjoys government support but is essentially apolitical. Gerald Carey-Elwes, the general secretary, says: "My job is to bring everyone together — government, private sector and voluntary organisations. We give a platform to different views, whether from the environment minister Michael Heseltine, the Labour inner cities spokesman Clive Selby, or anyone else with an input to make."

Mr Carey-Elwes is adamant that BURA and its private sector backers will be able to work with any future Labour government. "If we couldn't, we wouldn't be here," Hartley Booth, BURA's chairman, is standing down this month because his candidacy to succeed Margaret Thatcher as MP for Finchley would be seen as incompatible with his apolitical role as chairman.

BURA does not get directly involved in regeneration schemes; its function is to promote environmentally progressive projects, and sponsor awards for the most outstanding. BURA's Best Practice awards are conferred on projects which not only bring economic success to a neighbourhood or region, but are environmentally attractive too. Six awards (out of 35

nominations) are being made this year.

The Swedish Company, IKEA, is awarded a special citation for its new store in the Black Country town of Wednesbury, "a significant investment in an area of severe environmental and economic difficulty that has provided a lead for others."

The Swansea Maritime Quarter, initiated by the City Council, wins an award for attracting self-sustaining private investment and turning a derelict dockland area into an outstanding example of urban regeneration.

In Liverpool, the Wavertree Technology Park also wins an award for turning derelict railway marshalling yards into a well landscaped and balanced community of large companies and small local businesses. The initial government funding of £6 million in 1982 has generated about £30 million for the private sector.

Awards were also made for refurbishment of Gloucester docks, the new Sainsbury store in a run-down area of Wolverhampton, and the Springwood housing development in Huddersfield.

Next year BURA will incorporate an international Best Practice Award; it will appoint a panel of environmentalists to choose the best among entrants from Europe, the US and Japan.

BURA has also been asked by the Cologne city council to advise on the regeneration of the east bank of the Rhine, a huge industrial area in need of strategic restructuring.

Mr Carey-Elwes says BURA is anxious to highlight urban regeneration in the run up to the election. "We are working in tandem with the Association of Metropolitan Authorities, although they are a public sector oriented body and we are private sector led. We aim to play a catalytic role in relieving the deprivation that triggers urban rioting."

Facelift to remove the scars

BRITAIN'S urban environment is scarred by 100,000 acres of wasteland. Groundwork aims to clear up the mess. Established ten years ago by Michael Heseltine and the Countryside Commission, this network of 27 environmental trusts partners industry in restoring England's greenery and pleasantness. Half of Groundwork's running costs are met by the DoE; the rest is shared equally by local authorities and private businesses.

John Davidson, the chief

executive, says most projects are initiated by local people — "factory site managers, residents or even a school headmaster — anyone who manages land and wants to improve his environment."

The Black Country is Groundwork's biggest challenge. Davidson says: "In this 12-mile corridor of collapsed industries between Bir-

ingham and Wolverhampton, we have identified the eyesores and got suggestions for environmental improvement from the site owners."

The Black Country is the traditional home of small businesses, and Groundwork is particularly keen on helping small and medium-sized companies. "Smaller firms are not well briefed on legal require-

ments and don't employ their own environmental scientists or landscape architects," Davidson says.

Groundwork advises them how to access government and local authority grants for greening. Big firms help by contributing cash and second-hand managers. BP, for instance, is sponsoring an environmental review

scheme, being piloted in Blackburn. "Groundwork is inviting local businessmen to collaborate with our environmental reviewers in preparing confidential reports indicating what they can do about upgrading their environment," Davidson says.

Shell and the Countryside Commission are jointly sponsoring the Brightside project, a

scheme targeted at enhancing the image of factory sites on the fringes of the country. Shell is contributing about three-quarters of the cash, says Davidson, which pays for free sketch designs, prepared by Groundwork staff, showing how sites can be improved. So far, 40 per cent of the firms approached have given the go-ahead — and agreed to pay — for Groundwork to supervise these tentatively sketched-out schemes.

DAVID RUDNICK

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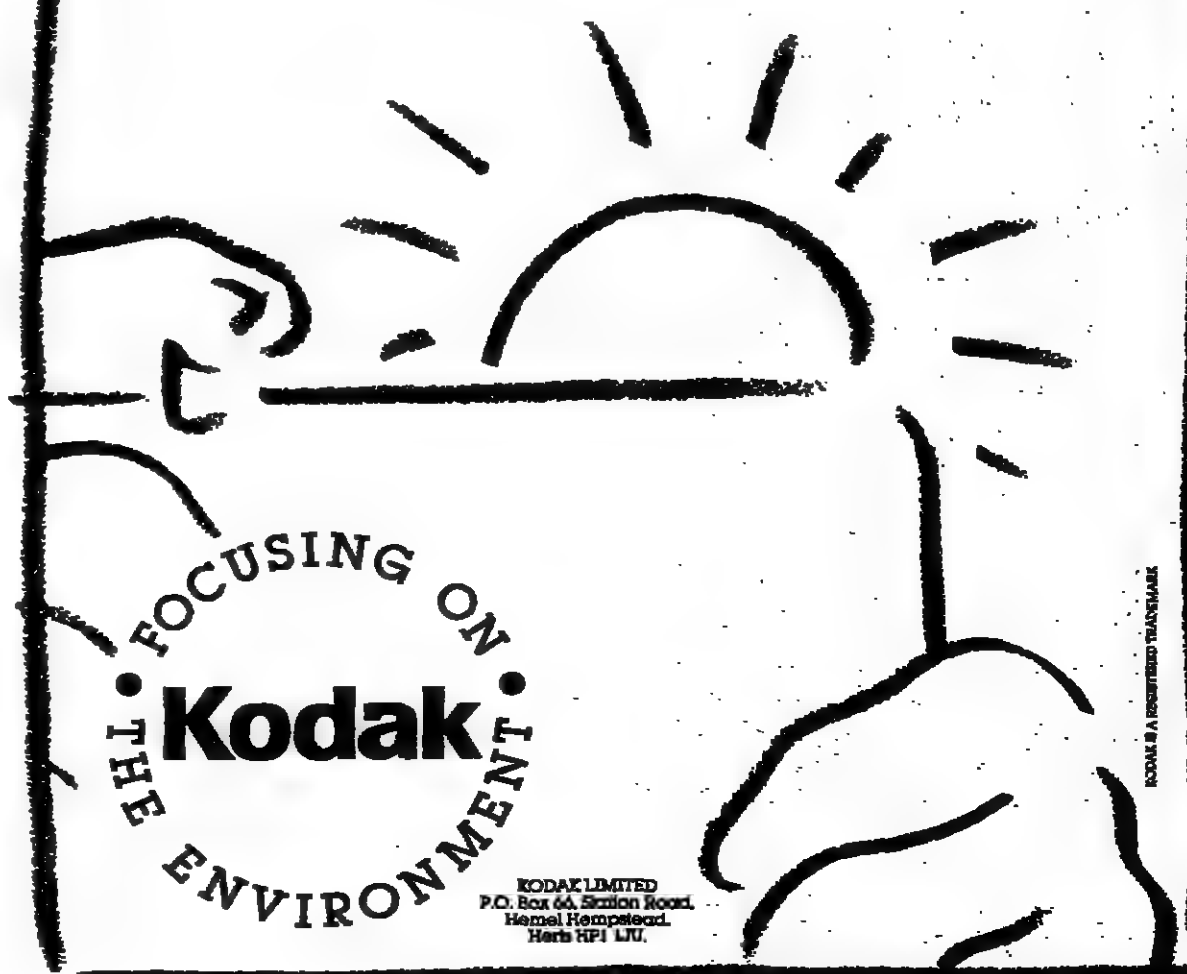
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THE ENVIRONMENT.

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The cost of a healthy future

Efforts to clear up the environment rely on national honesty, Tom Walker writes

The proposals for green laws made by Carlo Ripa di Meana, the European Community environmental commissioner, make impressive reading, putting the EC on a par with Japan and the United States in the effort to build a better future. But member states have a poor record of enforcing EC environmental legislation, and industrial lobby groups have combined to oppose the most meaningful proposals, such as the energy tax and ecology audits.

Signor Ripa di Meana has become embroiled in a public row with the British government over planning controls, but his legislation faces other difficulties. While there is no permanent home for an EC environment agency — the current frontrunners, Madrid and Copenhagen, are always vetoed by France pending a unanimous decision to make Strasbourg the permanent home of the European parliament — Signor Ripa di Meana has little clout. With no EC team of environmental inspectors, he has to rely on national honesty and letters of complaint from groups such as Friends of the Earth to keep in touch with the situation in member states.

Nonetheless, definite progress in cleaning up the community environment has been made:

- Energy tax. Though hotly opposed by industrial lobby groups,

Signor Ripa di Meana's scheme to levy \$10 on a barrel of oil by the year 2000 has been welcomed by environment ministers. The European Commission wants to put \$3 on a barrel in 1993, and then add another dollar per year until 2000 — this would raise in the region of ECU53.5 billion (£38 billion).

The tax has credibility because Holland, Germany and Denmark, the more ecologically conscious northern EC states, are all threatening to impose unilaterally their own energy taxes. Ministers will give the first clear signals on the tax at a joint environment/finance council in Brussels on December 10.

- Phasing out chlorofluorocarbons (CFCs). Member states have agreed to phase out production of CFCs, which deplete the ozone layer, by 1997. A target of an 85 per cent reduction by July 1, 1995 has also been agreed, in addition to complex legislation that grants exemptions for certain products, such as inhalers for asthma sufferers.

But some observers believe that



Exhaust checks: Britain has suggested fines for makers of cars that pump out excessive pollution

hydrochlorofluorocarbons, the favoured replacement chemicals for CFCs, could be equally hazardous.

- Track emissions. The Council of Ministers has agreed to cut back by 30 per cent on diesel soot emissions from truck engines by October, 1995. Tighter intermediate standards will be in force by 1993.
- Car exhaust emissions. EC legislation for curbing emissions will bring the community into line with its cleaner European Free Trade Association neighbours, but leave it

lagging behind California. Britain has suggested that car makers producing models that pump out excessive levels of carbon dioxide be fined. So far, the commission has come up with vague proposals for "clean cars" by 2000.

Other EC environment laws that could have a major economic impact concern nitrate levels in water, sewage treatment and the dumping of toxic waste. Michael Heseltine, the environment secretary, has suggested the govern-

ment should spend £3.6 billion on new sewage works. Member states are near to banning cross-border dumping of toxic waste.

- Eco-auditing and green labelling. The idea of an eco-audit, with companies having to inform national authorities of their environmental impact of their activities each year, looks unlikely to be agreed by ministers. But companies may agree a voluntary code, advertising their products with a green audit symbol.

Inspectors take up a challenge

Government watchdogs take master's degrees in pollution management in the fight to protect the environment

Practical implementation of the Integrated Pollution Control (IPC) requirements of the 1990 Environmental Protection Act presented a challenge to industry and regulators alike.

This led Her Majesty's Inspectors of Pollution (HMIP) to approach a number of universities early in 1990 to involve them in a competition. The prize was HMIP's commitment to send their inspectors on a master's degree course in integrated pollution management.

It was envisaged that such a course would attract participation from industry and consultants, and could provide the basis for developing solutions to the problems posed by the new legislation.

HMIP sent its students to the University of Manchester Institute of Science and Technology (UMIST), where the Simon environmental technology centre (SETC) in the department of chemical engineering has established an integrated pollution management course.

Dr Richard Griffiths, the director of the SETC, says: "We understood fully that no organisation could afford to send its staff on a conventional one-year, full-time course while also expecting them to respond to the time-table for implementation of IPC. Accordingly, the course is run on a modular basis so that participants are away from their normal work for no more than a week at a time."

After ten intensive, one-week modules, participants take examinations, then write a dissertation on a project conducted at work. The course runs on a two-year cycle, with a new intake each April.

Dr Griffiths was delighted at the response of the participating organisations. "We aimed roughly to double the HMIP commitment to send eight inspectors to each intake, by attracting industry and consultancy participants in about equal numbers. With an entry of 23 in April 1991 we achieved our target."

But can such a diverse and practical subject be successfully supported in an academic department, with its traditional emphasis on teaching and research? Dr Griffiths says: "The department of chemical engineering and SETC both have strong and

long-standing active links with practitioners in industry and other bodies. The industrial orientation of SETC's work is evidenced, for example, by the generous gift made by Simon Engineering plc to the academic group to support our general development in teaching and research."

Additionally, SETC, we operate an independent consultancy, ETCIS (environmental technology centre-industrial services), which is dedicated to the solution of the urgent problems of environmental protection that constantly arise. We make full use of our outside links in bringing in contributions to the course from specialists, such as environmental lawyers, to ensure that the wide scope of the course is interpreted at the practical level."

As to the future, anyone who thought that the IPC would have an easy introduction with the first round of applications (for large combustion plants) must be disappointed. In July, HMIP set down a marker as to its expectations by issuing a schedule 1 notice requiring further information from all applicants for large combustion plant authorisation, with some exceptions. Given that these plants largely involved a single-medium discharge, to air mostly, the task facing the operators of plant with more diverse options is substantial.

The next round of applications is due in the three-month period beginning in April 1992, with further phasing-in of industries extending to the end of January 1996. Authorisations are subject to review at four-yearly intervals.

The government's intention to bring about further integration of pollution control was announced by the prime minister earlier this year in the plan to establish an environmental agency. This would combine HMIP with related functions of the National Rivers Authority, and waste disposal regulation currently under joint supervision of HMIP and local authorities.

It is clear that the participants on the UMIST course are taking part in a pioneering enterprise that is part of the current commitment to the objectives of environmental protection. We wish them every success.

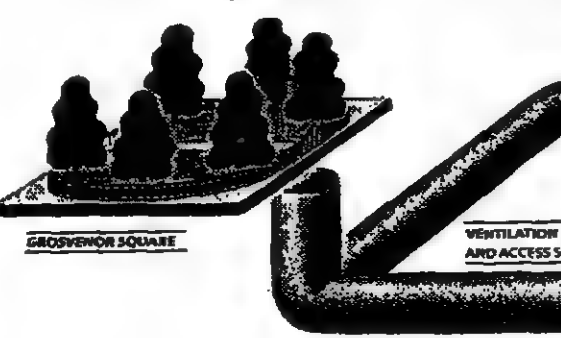
HELEN GEERE

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The Course is attended by inspectors of HMIP, and participants from Industry and Consultancies. The second intake will be in April 1992, for which applications are now invited. Further details from Dr R. F. Griffiths, SETC, Department of Chemical Engineering, UMIST, PO Box 88, Manchester M60 1QD.

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LONDON ELECTRICITY

On the forestry beat

For those interested in the environment, a career in forestry has much to offer.

Foresters are concerned with conservation, the protection of wildlife, the provision of places where people can enjoy their leisure time, as well as the production of timber for industry.

David Ellerby, aged 25, is a forest officer grade IV with the Forestry Commission. He is employed as a "beat" forester, and his territory extends over one-third of the Weald Forest, which covers 18,000 hectares of Kent, East Sussex and a part of West Sussex.

With a degree in forestry from Bangor University, north Wales, Mr Ellerby came to the Weald in November, 1987, shortly after the area was devastated by hurricane force winds that left 350,000 cubic metres of timber on the ground.

This required a tremendous clearing and replanting programme and the Forestry Commission is still coping with the hurricane's aftermath.

"We are replanting more than 200 hectares this year," says Mr Ellerby. "We have brought in big machinery from various parts of the country, in order to prepare the ground and clear the brushwood from the soil. We are planting mainly conifers - Corsican pine, larch and Douglas fir - but also some broad-leaved species, including oak and beech."

Mr Ellerby's immediate superior, Norman Day, the chief forester, decides how many hectares are to be planted. Then, after consultation, it is up to the beat forester to map out the area,

Joan Llewelyn Owens explores the world of foresters who safeguard Britain's woodlands

decide which species to plant and draw up contracts for workers who are taken on for specific tasks.

"The job of beat forester is an excellent one for a newcomer," Mr Ellerby says. "You do the planting and the harvesting and get involved with everything. The Forestry Commission has sent him on courses to learn about driving tractors, handling equipment to cut woodland brush, and fencing. "At my own request I went on an industrial course with the workers. Until you do practical things yourself, it is difficult to be someone else's boss. I've done a bit of planting, too."

Mr Ellerby likes to have a chat with his men when they come on duty at 7.30am; he finishes around 5pm. For him, no two days are alike. About half his time is spent outdoors, and the rest in the office. He has to deal with timesheets and wages for his six workers, including a ganger, a tractor driver and a ranger. His section sells around 12,500 cubic metres of timber and he has to work out the sustainable yield he can cut down every year.

Other duties include ordering supplies of tools, chemicals, fencing and plants.

"I organise my work very flexibly," he says. "Much depends on the degree of urgency. I may have a deadline for an annual report which keeps me indoors. At the end of the year I have to report on the planting we have done, so that

our head office at Cambridge can amalgamate all the paperwork for regional or national statistics. As we replant the areas which blew down during the hurricane, we have to update all the maps and the computer data base."

"While I am in the office, the police may phone to say there has been a report about itinerants in the forest and will I go to see about it. We have problems, too, with riders who won't keep to bridleways and with joy riders who set fire to cars. We put up barriers and padlocks and they are continually broken. We also get skiploads of rubbish tipped over gateways."

The conservation side is of particular interest to him. "For instance, we have a lake in this forest and once a year we can the roads to stop them encroaching and so maintain the habitat for the fish and other wildlife. During the last couple of years a migrating osprey has been fishing there." His team has set up bat and bird boxes. Sometimes the forest is invaded by birdwatchers coming to spot rare migratory species.

The Forestry Commission manages nearly half Britain's forests commercially, and as the national authority it helps to shape government policy. In April, there is to be a change in the management structure in order to achieve a clearer administrative distinction between those staff concerned with its regulatory and advisory

duties, and those engaged in the management of its forests.

A forest officer normally holds a BTEC National Diploma in Forestry, a SCOTVEC National Certificate (Scotland's equivalent to BTEC) or a degree in forestry. Other qualifications are also acceptable and from this year Cumbria College of Agriculture and Forestry will offer a Higher National Diploma. Candidates for the ND/NC courses must have two years' practical forestry experience and for the HND course one year. Competition at all levels of entry is high.

Within the Forestry Commission, there are opportunities for experienced forest officers to specialise in such areas as training, wildlife conservation and research, or to move up the management ladder. At the very top are the conservators of forests. The Commission also employs scientists, mechanical and civil engineers, land agents and clerks.

Openings also occur with management companies that supervise private woodlands on behalf of the owners, which are often institutions such as pension funds. Some people with forestry qualifications become county forest officers, or go to work for conservation organisations such as the National Trust, or for private landowners. Others set up as contractors or consultants.

Further information: Forestry Commission, personnel division, 231 Corsorphine Road, Edinburgh, Scotland EH12 7AT; or the Institute of Chartered Foresters, 22 Walker Street, Edinburgh EH3 7HR



David Ellerby's job ranges from chasing out itinerants to encouraging rare ospreys to fish in a lake

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NICARE may decide to interview only those applicants who appear, from the information available, to be the most suitable.

Benenden Hospital

Benenden, Nr. Cranbrook, Kent
PERSONNEL OFFICER
Salary - Circa £15/E16K p.a.

THE JOB: This new department requires a highly motivated and enthusiastic person to assist management in the provision of a personnel service. It will be the sole responsibility of the successful candidate to assist in several areas: recruitment and selection, development of policies and procedures, provision of employment statistics together with assisting managers to improve their quality of man management and ensure consistency in the application of employment policy.

THE PERSON: Probably aged between 25 - 35, you will have had a minimum of 2 - 3 years all round employee relations experience gained within a service industry some of which will have been in the N.H.S. or Private Healthcare environment. You will be qualified or studying for the IPM (Stage II) and be educated to degree level or equivalent. You will need to be able to demonstrate the potential to create a department from inception which is capable of assisting the managers to achieve goals. Attention to detail, excellent written skills, a persuasive nature, imagination and diplomacy are all important to undertake this interesting post.

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If you wish to discuss the opportunity informally please contact Miss Jenny Martin, Assistant Hospital Director, on 0680 240333 Ext. 278.

A job description and application form can be obtained from Miss Joy Forbes on ext. 315.

Closing date: 18th November, 1991.

Interviews will be held on 6th December, 1991.

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Fund Secretary

This is a key appointment in a well-known charity which assists those in need who have worked in the cinema, independent television and allied industries. The Fund disburses well over £1 1/2 m. a year to individuals and in the running of their old people's home near Reading. Funds raised include the proceeds of the Royal Film Performance.

Responsibility is to the Executive Director for all aspects of the Fund Secretary's function and for managing the accounting activities of the Fund. Close liaison with the Honorary Treasurer and with investment advisers is an important aspect of the role.

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Please write in confidence with CV to Geoffrey Elms, Charity Appointments, 3 Spital Yard, London E1 6AQ.

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A registered charity serving the voluntary sector

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SALARY c £23,000

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Apply in writing with current CV to:

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Paying the price of safety

David McIntosh outlines a draft bill putting commercial pressure on industry to become more safety-conscious

How can it be fair and sensible that the train driver in the Purley rail disaster should be to prison, or even a fine, for a crime which he was not responsible for? When inquiries have made findings of gross and disgraceful negligence for safety in the wake of other tragedies? Was the driver more negligent in overrunning a red light than those who shunned safety duties in the organisations responsible for deaths in other disasters, and for the hundreds of other deaths of workmen and members of the public that happen every year without publicity? Industrial and industry-related injuries cost British industry about £2 billion a year in lost productivity alone. Business suffers further as insurance premiums rise to pay for compensation claims. The charge on public funds through emergency services, medical treatment and welfare benefits has yet to be calculated.

No price can be put on the suffering of those injured or bereaved. Yet many - I would even say most - of these casualties could have been avoided had there been greater emphasis on safety planning.

There is now widespread support for finding ways in which our corporate accountability laws can be improved so that available punishments fit the crimes. Punishments should reflect the view that corporations should themselves be liable for the acts delegated to managers. Too often, at present, they are able to wash their corporate hands. The £250,000 fine imposed on British Rail for breaches of the Health and Safety at Work Act at Clapham is not only derisory in its impact on such a large, publicly owned corporation, but it is also a fine on the public, as British Rail runs at the taxpayers' expense.

Good ideas have been suggested to heighten safety-consciousness and compel businesses to give safety and emergency planning priority. Many are from lawyers and organisations that have been opponents of corporate clients that my firm has represented. My firm recently unveiled a Corporate Accountability Bill, incorporating some of the



Disaster at Clapham: a new safety law might lessen the likelihood of such tragedies

proposed changes. We felt the safety debate was stagnating. No new legislation has been imposed on industry and commerce to improve the well-being of employees and the public since the Health and Safety at Work Act began to bite 15 years ago.

Every new disaster brings forward another pressure group to fight for change and to vilify those businesses with atrocious safety records and a woeful lack of safety-consciousness. Last week, the latest group, Disaster Action, began with a manifesto for radical reform. The groups' activities and the embarrassment they bring to those on whom they turn their spotlight should encourage others to invest in safety and realise that it pays many dividends. Sadly, experience shows that the threat of public criticism does almost nothing. Far too often "accidents"

occur that could have been prevented. Too many managers seem to think disaster will always strike elsewhere.

Safety pays commercially and morally. This is the philosophy behind our draft bill. We want courts to be able to prevent those whose attitude to business shows serious disregard for health and safety from taking part in the management of any commercial concern, whether public or private.

We want companies to have to carry out annual audits of their safety systems and to publish their independent auditors' reports. We are calling for companies to publish, in their annual reports, criminal convictions and official sanctions on health and safety records against them or their directors and officers. We

want those who chair the public enquiries to have the right to bring unacceptably dangerous businesses to a halt in extreme cases.

Many reforms proposed in recent years have foundered. This is because they have asked for too much fundamental change to criminal law and its rules on burden of proof and admissibility of evidence, have confused civil remedies with punishment, and have overlooked the government's unwillingness to allocate funds to this priority.

Our bill's proposals have been seen as pragmatic and potentially effective. The costs would not fall on central government at a time when budgets are being "pruned". They should not be seen merely as an extra business burden. Any organisation affected by the consequences of a disaster that might have been avoided would gladly

have traded a little expense and executive consideration on pre-planning against the enormous unbudgeted damage suffered.

Unless good safety standards are mandatory, there will always be pressure to keep safety spending to a minimum so as to increase profits. In such an environment, a safety culture must come from above. This means tough legislation, tough policing and tough enforcement.

Under our bill the safety expense would be borne as one of the essential overheads for an unarguable commercial benefit.

At present, public funds are tapped by the expense that avoidable injuries place on the NHS, by loss of revenue from missing profits due to lost productivity, by the burden on the welfare state, and by the considerable cost of post-accident investigations, enquiries and legal process.

The public purse and therefore all of us would benefit from the reduction in accidents that the passing of this bill would ensure. As individuals we would benefit, directly or otherwise, if insurance costs were reduced in a less accident-prone society.

Businesses that have regard for safety have nothing to fear from our proposals. They would profit from comparison with less than safety-conscious competitors. Those who put short-term profit and production above health and safety will have their bad records on public view with potentially damaging consequences. Commercial logic is at the heart of the Corporate Accountability Bill.

At the very least, I hope our bill will provide a rallying point for all with an interest in a prompt and consensual response to the safety demands being made. At present, English corporate and criminal law places greater value on the regulation of fiscal management than on human life.

If the corporate liability handbooks were to fit more tightly when tragedies occur, respect for the law, which is being undermined again and again, would once again be restored.

The author is the senior partner of the City solicitors Davies Arnold Cooper

The dangers of a will's free-for-all

ANYONE seeking some consumer protection in the Lord Chancellor's draft probate regulations should be prepared to look long and hard and use a considerable degree of imagination. The regulations were born of the probate free-for-all created by the Courts and Legal Services Act 1990.

Their upbringing has scarcely been a balanced one. Lord Mackay of Clashfern, the Lord Chancellor, consulted 70 bodies and individuals before the draft regulations were promulgated. Of the 70 only about six could be described as consumer organisations. The remainder contain such champions of the consumer interest as the clearing banks and the Institute of Directors. The regulations reflect this imbalance.

The act opened up probate work to bodies other than solicitors. Hitherto, only solicitors could apply on somebody else's behalf for a grant of probate or letters of administration, although bank trust companies were allowed to act as executors and carry out the administration of an estate. The act allows all banks, building societies and insurance companies to carry out probate work and authorises the Lord Chancellor to allow professional or other bodies to permit their members to become probate practitioners.

In all cases there must be a procedure for dealing with complaints. So far so good, as few would say there is a good reason why, say, the Halifax Building Society or a chartered accountant authorised by the Institute of Chartered Accountants should not carry out probate work in much the same way as a solicitor. Only when one looks at the details of the complaints rules is it clear that all is not what it seems.

There is no requirement that a client's money be kept separate from the practitioner's money. There is no suggestion that there should be rules of professional conduct. There are to be no controls on charges, not even provision for totally unconscionable charges to be reduced. The ombudsman dealing with complaints has no power to enforce his decisions. The proposed compensation scheme will have a maximum limit of £100,000.

Perhaps there is no need for clients' money to be kept separately as people are more honest than they were when the solicitors' accounts rules were created. Perhaps banks do not need rules of professional conduct as they will be more sensitive and professional in their dealings with the bereaved than they are with small businesses. Perhaps no probate practitioner will be tempted to overcharge. It may be that everyone who does something discreditable will be happy to comply

voluntarily with the ombudsman's ruling. Perhaps people who have lost many hundreds of thousands will be happy with £100,000 compensation. Or perhaps the public are being sold down the river.

Let us look at the record so far of the banks that offer executorship services. They are appointed under the terms of a testator's will. Because an executor can charge only if authorised, the will usually provides that the bank may charge according to its scale at the time of death. Many beneficiaries get a nasty shock when they discover that in the case of one of the main banks this is a 3 per cent fee for taking on the job and then a £30 fee every time work is done, such as closing an account or paying a legacy. The final bill is likely to be about 5 per cent of the estate's value. Solicitors' charges would probably average 1.5 per cent. One justification for banks being appointed as executors is that, unlike individuals, they will always be around to sort out problems and deal with difficult decisions. Unfortunately, the reality is rather different. Banks commonly renounce probate if the estate is not large enough to be profitable.

On the question of difficult decisions, I need only cite my own experience of a case where the relatives of a testator alleged he had died following negligent treatment in hospital. The family wanted a post-mortem and this had to be authorised by the executor. A bank had been appointed as executor and after a day of frantic telephone calls between its senior executives,

rather than make a decision. There is nothing in the draft complaints regulations to suggest that anybody else will do any better than the banks on probate administration and no doubt many will do considerably worse.

Solicitors will benefit because they will inevitably retain a large share of the probate market and will increase their fees in line with what the others will charge. The Law Society in its response to the regulations has already pointed out that it is hardly fair for controls to apply to solicitors' charges and not the others.

Unscrupulous probate practitioners will find the regulations a godsend. Only the public will suffer, that is, the widows, the children and infant beneficiaries. Needless to say, they were not consulted before the regulations were made. It is high time somebody took notice of their interests. Lord Mackay should ask himself whether he would be happy for the regulations to protect his family.

The author is a practising solicitor



BRIEF

PATRICK STEVENS

A serious case of the Rumpoles

BARRISTERS suffer from a serious disease, incurable and socially disabling, invariably inflicted on the spouse. Horace Rumpole, the Old Bailey back from Equity Court, who returned last week to ITV, "in association with Croft Port", displays all the symptoms.

Rumpole hones his debating skills at home. He cross-examines waiters as though they were witnesses and addresses dinner parties like a jury. Hilda is not his wife, but prosecuting counsel. His real mates are in the Temple. Add the genteel poverty of the criminal practitioner, the occasional "decent", or privately funded, trial in a lifetime of legal aid burglaries, the terrifying brown envelopes from the taxman and the gnawing fear of a blank diary, and the real world of most of the Bar is caught more accurately on screen than in any of the submissions on rights of audience being considered by the Lord Chancellor's advisory committee.

Forget the plot. All criminal trials are legally the same. Only the characters and their misfortunes change. Ask any Rumpole about his cases and you will hear stories of life, not the law. Rumpole knows little law, but a lot about life. His



Rumpole: the reality of the Bar

skills and character were forged in lonely, daily, and often hopeless combat. Hopeless but not pointless. English law proceeds by combat. Many find this displeasing, but not Rumpole. He fights for the unlikely, sometimes unspeakable, defendant. He prefers it that way. To believe in one's cause and identify with one's client is a dangerous indulgence. A constant diet of such personal commitment soon unhinges the mind. This is not shocking, but simple self-preservation, to say

nothing of the advocate's duty not to discriminate.

I was afraid that Rumpole might have lost his touch. The Rt Hon Leslie Timmus, MP, in *Timmus Regained*, was not as convincing, or amusing, as the young Timmus in *Paradise Postponed*. Happily, Rumpole has not aged nor risen in the world. He has, wisely, never applied for silk, a process now requiring a fee, not returnable, to be paid to the Lord Chancellor's Department.

He thus remains as convincing and entertaining as ever. No doubt there is dramatic licence, but in all essentials Rumpole is real and seen daily in chambers, though not, of course, in one's own. I am sure he puts heart into the young barrister facing a hostile court.

What he does for the Bar in the public's mind is more difficult to gauge. I suspect that what Sir Luke Fildes did for the country physician when he exhibited "The Doctor" at the Royal Academy in 1891, John Mortimer, QC, is doing for his profession in 1991. Propaganda? Perhaps, but the best propaganda is truth.

JULIAN MALINS

Fixture epidemic

A NEW disease is afflicting the criminal Bar, "fixture congestion". When a solicitor needs counsel to defend a client, even on a murder charge, he cannot get one. Barristers are all booked, if not double-booked.

The extent of the disease was revealed last week when the Bar chairman, Anthony Scrivener, QC, had to rush to the rescue of a man with no suitable QC to defend him. A solicitor, Rod Novy, of Lewis Nadas, contacted Mr Scrivener after ringing all 17 leading criminal sets. Of 108 QCs, only four were available. "I do not believe it was being fussy to say we did not really want to take any of those four," he says.

His client is charged with stabbing a man to death. The original QC, Michael Mansfield, had to return the brief when another of his cases overran. A second QC, Rock Tansey, was instructed but he too returned the brief when another of his cases was moved. Both QCs pleaded "fixture congestion". The court refused to grant Mr Novy an adjournment,

INNS AND OUTS

illustrating another disease in the courts: the principle that the judge must not be left with time unfilled. Desperately he called the Bar chairman, who secured the adjournment. Mr Novy says: "The court administration puts itself above the interests of justice to the detriment of ordinary defendants facing, perhaps, the most important week or two of their lives. It is disgraceful and it is unacceptable."

Auto-memory

THE rising cost to the solicitors' profession of bailing out dishonest or incompetent colleagues has spawned its first enterprise, a company capitalising on solicitors' abysmal record in remembering important dates. Yesterday about 2,000 solicitors' offices were sent details of Professional Memories, a computerised memory service that aims to cut the cost of claims arising from papers lodged out of time.

Under the scheme, itself backed by a £2 million indemnity policy, solicitors pay a £22 fee for two recorded delivery reminders of any important date up to six years

from now. The solicitor founder, Clement Noel, says: "It is a sad fact of life that most solicitors forget a vital date on some occasion in their careers, even though a diary is carefully kept." Even in firms that have computers to remind them priorities tend to be ignored, he says.



Reformer needed

JUSTICE, the respected all-party law reform body, needs a new director. Leah Levin, who took over from Tom Sargent nearly ten years ago, is leaving and "going solo", although she still intends to be active in human rights. Justice, which is governed by a council of lawyers, chaired by Lord Alexander of Weedon,

QC, has a formidable reputation in rectifying miscarriages of justice, protecting human rights and promoting law reform.

Tribunal call

A NEW environmental tribunal headed by a High Court judge has been called for by Lord Justice Woolf. The present system for resolving environmental law issues is inadequate, he said when giving the annual Garner lecture to the United Kingdom Environmental Law Association. He says judicial machinery has not kept pace with the progress in environmental laws themselves. Present procedures could mean needless cost and delays. A tribunal would be more flexible and speedy.

Law and the environment is also the topic of this year's Times Law Awards, sponsored by Freshfields. Entries of up to 1,000 words from students and those training for the law are invited on: "The future of the environment: will legislation or self-regulation protect it best?" Prizes total more than £6,000. Closing date: November 30. Details: Georgina Stewart on 071-832 7546.

SCRIVENER

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Herbert Smith is one of the City's most broadly based law firms, acting for a sophisticated U.K. and foreign client base.

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Please contact Jonathan Macrae, in complete confidence, at Zarak Macrae Brenner on 071-377 0510 (081-672 8340 evenings /weekends), or write to him at 37 Sun Street, London EC2M 2PY.

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How much can be told?

Guidelines must rule
when confidential
reports are produced
in court, writes
Stephen Leslie

The Children Act fails to tackle the important issue of how experts' confidential reports should be used in any subsequent criminal trial. In almost every sexual abuse case there are family court proceedings on issues of custody and access (now residence and contact). Confidential reports on the child will be compiled by experts such as paediatricians, psychiatrists, psychologists and social workers.

The reports are confidential. So a dilemma arises when the allegation results in prosecution: to what extent should the reports be disclosed in a criminal court? If the material is obtained by the Crown Prosecution Service (CPS), the Attorney-General's guidelines would ensure disclosure subject to "discretionary exceptions".

What happens when the CPS lacks the material? On one side, the experts who interview alleged abuse victims do not want their reports made generally available. To encourage the child to talk freely, confidentiality must be guaranteed, so that trust can be developed between expert and child. Disclosure of such reports might discourage the alleged victim and others involved from revealing relevant matters.

Equally, the family courts do not want the reports disseminated. For example, it would be wrong in principle to disclose such reports where they referred to the alleged victim's non-sexual relationship with other siblings and relatives and not to the accused.

However, the accused person's lawyers and the criminal courts want all relevant material to be available at trial. In some circumstances the reports would benefit the defendant in highlighting inconsistencies between the experts' reports, statements made to the police and statements at committal proceedings. A child may name the father as the abuser to the police but tells the expert an uncle was responsible. Obviously, the jury must know of such discrepancies. Ignorance of them could lead to wrongful conviction.



Linah Cohen

This conflict has to be resolved if children are not to be discouraged from speaking about abuse.

In the past few years, the disclosure of parts of reports at trial has been a lottery. One factor has often been the attitude of the controller of those reports, normally the local authority.

Second, disclosure also depends on the experience of the defendant's lawyers. Some now automatically ask for reports, while others appear unaware they can obtain them. Cases are more complicated if there are family

court proceedings, because lawyers must obtain that court's order to use any part of the reports at the trial and this may depend on the family judge's acquaintance with criminal proceedings in this area. If there are no family proceedings, lawyers must ask a criminal court judge and the result may depend on his or her knowledge about the desirability of such reports.

National guidelines must be promulgated swiftly, after consultation with experts, the police, the CPS, the lawyers and judiciary, in criminal and family spheres.

Such guidelines must ensure that references to sexual matters in reports are revealed. They should also result in the disclosure of the child's remarks showing bias against the defendant and including references to alleged physical violence. Finally, they should result in the disclosure of everything relevant to the alleged victim's credibility, such as admissions of dishonesty, and should also enable the lawyers to discover how many times the child has been interviewed.

• The author is a practising barrister

Madrid has a third London law firm, drawn by a growing economy

Booming Spain beckons the business-minded

Freshfields opens its new office in Madrid this week as the great autumn roll-out of English law firms in Europe continues. This brings the total of leading London law firms in the Spanish capital to three, a curious small number, given the growth of the Spanish economy in the past few years.

While Eastern Europe has hogged the attention of many leading firms, the Iberian peninsula has been largely neglected. Spain is an expanding economy and there is a tremendous feeling of growth and optimism in the country, especially as the single European market looms, says John Byrne, who will be the new venture's managing partner.

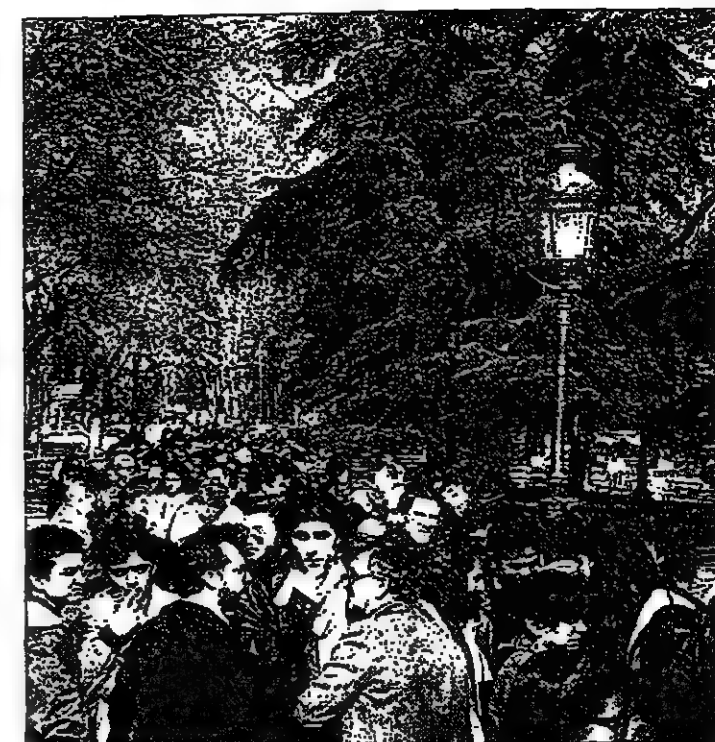
Mr Byrne says: "There is a lot of work to be done in the country, both international and domestic, and with so few London firms there and nobody from Wall Street, we feel we have something attractive to offer."

As with its other main offices in Paris and Frankfurt, Freshfields intends that Madrid should become a Spanish-led practice, though within the context of the "Freshfields family".

A big step has already been taken in that direction by the recruitment of two leading Spanish lawyers, the brothers Javier and Juan Gomez-Acebo, who will provide weight at the top of the firm. Javier Gomez-Acebo is distinguished by being one of the members of the elite group of lawyers who advise the Spanish council of state, and his brother has run a company and commercial practice which has advised the Spanish defence ministry on the European fighter aircraft project.

By recruiting them, Freshfields has already gained a place for itself in the Spanish legal establishment. "We are starting off with six lawyers, most of whom are Spanish, and we will grow to eight next year," Mr Byrne says. "After that we aim to reach a substantial size as fast as possible."

Although there is a relatively small number of large local firms in Madrid, including such names as Uria & Menendez and Garrigues, they are significant forces to be reckoned with. They have grown in line with the economy and can now employ as many as 50 lawyers. Freshfields is



Teeming Madrid: the signs are there for economic prosperity

likely to gain the advantage over them through its global network and back-up expertise in France, Germany and the United States, which should be of interest to inward and outward investors.

Certainly that has been the experience of Clifford Chance, which will be Freshfields' main rival in Madrid. The firm opened there 11 years ago in the early days of liberalisation after Franco died. Progress initially was slow and as little as two years ago the office still had only half a dozen lawyers. Recently, however, it has put on a spurt through the rapid growth in banking and by concentrating on its domestic practice. As a result, the firm announced last week the appointment of its 20th lawyer to the office. Carlos Hernandez Canut, who comes from the Spanish tax authority.

Both Freshfields and Clifford Chance are benefiting from the increasing internationalisation of legal practice in Spain and the growing sophistication of the financial market.

The first securitisation projects took place recently - Clifford Chance was involved - and

management buyouts are now being seen. "This is where we start to score over the Spanish firms," explains Chris Bates, a Clifford Chance partner. "We are very experienced in management buyouts but they were almost unheard of in Spain until recently, so Spanish lawyers did not know in detail how to handle them. Our job is to bring our wider experience to the problem and tailor it to meet the particular demand of the Spanish market."

In some cases, of which management buyouts are a good example, the finance for a transaction may come from London, so, again, a leading London firm with good banking credentials can sell itself as being able to handle all aspects of the deal. The same would apply if it was a joint venture with a German or French investor.

The predictions are that Spain will reach the top table of the European business community within a decade. This is what gives Clifford Chance confidence in the country and why Freshfields has invested there.

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PROTECTION &
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Court of Appeal

Law Report November 5 1991

Queen's Bench Division

Striking-out principles apply equally

Halls and Another v O'Dell and Others

Before Lord Justice Balcombe, Lord Justice Taylor and Lord Justice McCowan (Judgment October 29)

The principles which applied to striking out for want of prosecution in an action commenced by writ requiring the plaintiff to have been guilty of inordinate and inexcusable delay to the prejudice of the defendant, had just as much application to proceedings begun by originating summons to which Order 28, rule 10 of the Rules of the Supreme Court applied.

The Court of Appeal so held in a reserved judgment in allowing appeals from the order of Mr Justice Millett on December 13, 1990 whereby, reversing the decision of Mr Registrar Buckley in misfeasance proceedings brought by Nigel John Halls and Anthony Malcolm David Bird as joint liquidators of two companies in liquidation against the three former directors, Derek O'Dell, Anthony Peter Hemmings and Barry Adrian Redfern, he had dismissed the proceedings for want of prosecution.

Mr John B. Briggs for the liquidators, Mr Wilfred Pawlak for the former directors.

LORD JUSTICE BALCOMBE said that in July and September 1979, Latchford Construction Ltd had entered into contracts with each of its three directors to build houses for them at fixed prices. During the work costs were incurred in foundation and piling work on the three sites and most of those were defrayed by Latchford Homes (Somerset) Ltd, which had the same three directors.

In June 1980, the former went into creditors' voluntary liquidation. The directors completed the houses at their own expense. In July 1980, the second company went into creditors' voluntary liquidation. The liquidators served draft points of claim on the directors alleging that they were guilty of misfeasance or breach of trust. In June 1983 originating summonses seeking relief against the directors under section 333 of the Companies Act 1948 were issued by the liquidators.

Various letters were exchanged and in January 1988 the directors served a defence. In March 1988 the liquidators served a reply to the defence.

On December 16, 1988 and March 7, 1989 the directors issued summonses to strike out the originating summonses for want of prosecution.

Both matters came before Mr Registrar Buckley who dismissed the summonses. The directors appealed to Mr Justice Millett who allowed the appeal.

Mr Justice Millett held that the test to be applied to delay was that laid down by Order 28, rule 10 of the Rules of the Supreme Court and that, following his own decision in *United Bank Ltd v Alton* (1988) Ch 109, that was different from the test applicable to ordinary actions as laid down in *Birkett v James* (1978) AC 297.

In particular he held that it was unnecessary for the directors to prove that the inordinate and inexcusable delay on the part of the liquidators gave rise to a substantial risk that it was not possible to have a fair trial of the issues in the misfeasance proceedings, or was such as was

likely to cause or to have caused serious prejudice to the directors.

Applying what he said was the test under Order 28, rule 10 he held that the liquidators had failed to prosecute the proceedings with due despatch and in the exercise of his discretion he would dismiss the proceedings.

In case he was wrong on the first question, and the test was that of *Birkett v James* he concluded that overall there was at least considerable doubt that a fair trial could now be held.

Three issues therefore arose:

1 Did Order 28, rule 10 apply?

Where, as here, the application under section 333 was the first application by a liquidator in a voluntary winding-up, the application was necessarily by originating summons, since such a summons was necessary to originate the proceedings in court: see Order 5, rule 3 imported into the winding-up procedure by rule 227 of the Winding-Up Rules (SI 1949 No 330) (L4).

Mr Briggs submitted that if Order 28, rule 10 introduced a test for delay in prosecuting misfeasance proceedings started by originating summons different from that applicable in the case of misfeasance proceedings started by ordinary summons, that would have produced a result so capricious that Order 28 did not apply to misfeasance proceedings started by originating summons.

His Lordship was unable to accept that submission which was contrary to the clear words of rule 227 of the 1949 Rules and of Order 28 itself. However, it was a strong argument against Order 28, rule 10 introducing a test for the case of delay in the

case of an originating summons different from that applicable in the case of an ordinary summons.

2 Test under Order 28, rule 10. Whether the court was acting under an express power in the Rules, or under its inherent jurisdiction, the discretion to dismiss an action for want of prosecution had to be exercised in accordance with the principles laid down by the House of Lords in *Birkett v James* and confirmed in *Department of Transport v Chris Smaller* (1989) AC 1197.

Except possibly in the case of the deliberate breach of a peremptory order, two of those principles often had the effect of precluding the court from dismissing an action for want of prosecution, even where it was established that the delay on the part of the plaintiff was inordinate and inexcusable.

The first was the necessity to show that the delay gave rise to a substantial risk that it was not possible to have a fair trial and second that the power to dismiss should not normally be exercised when the limitation period had not expired, since the plaintiff would be able to start fresh proceedings.

In *United Bank v Mani* (1988) Ch 109 Mr Justice Millett had held that those principles were inapplicable to proceedings begun by originating summons as that procedure provided an expeditious means for the speedy resolution of cases where there was no substantial dispute of fact. Although that might be generally true, it was not invariably so.

There was nothing in the wording of Order 28, rule 10 justifying the conclusion that the prin-

ciples which had to be applied in every other case where the court had power, whether under the Rules or under its inherent jurisdiction, to dismiss an action for want of prosecution had no application to the discretion conferred by Order 28, rule 10.

Indeed there were strong grounds for holding that the same principles should apply. It could not be right that the principles to be applied in exercising the power to dismiss for want of prosecution should vary according to the chance of what originating process had been invoked.

3 Application of *Birkett v James*. Mr Justice Millett did not find any causal link between the inordinate and inexcusable delay by the liquidators, which he held was limited to the nine-month period from March to December 1988, and those matters which he had held to be prejudicial to the directors or as affecting the possibility of a fair trial.

Even considering the nine-month period of inordinate and inexcusable delay against the whole background of delay, his Lordship was unable to see anything which could provide the necessary causal link between the period of delay and the matter of prejudice.

The misfeasance proceedings were not statute-barred and the liquidators would be free to issue fresh proceedings and there was no reason to assume that they would not do so. The appeals would be allowed.

Lord Justice Taylor and Lord Justice McCowan agreed.

Solicitors: Bretherton Price & Elgoods, Cheltenham; Lyons Davidson, Bristol.

Solicitor's duty over reference on client

Edwards and Others v Lee

Before Mr Justice Brooke (Judgment October 30)

A solicitor who was asked to give a reference on a client and who was constrained by legal professional privilege from disclosing that the client was facing criminal charges, could not give the client any sort of favourable reference.

He could not fulfil his duty of care to the reference-seeker unless he first sought his client's permission to reveal all that he judged it necessary to tell. If the client then refused permission, the solicitor should consider whether he could properly tell the reference-seeker anything.

Mr Justice Brooke so held in the Queen's Bench Division in awarding damages for negligence to the third plaintiff, Cabana Soft Drinks (Surrey) Ltd, against the defendant, Julian Lee.

Mr Adrian Taylor for the plaintiff, Mr Paul Mendelle for the defendant.

MR JUSTICE BROOKE said the defendant was a solicitor whose client, Mr Robert Hawkes, was at the relevant time awaiting trial on 13 charges of criminal deception and other offences of dishonesty.

The plaintiffs, David and Susan Edwards and their company Cabana Soft Drinks (Surrey) Ltd, claimed they had suffered financial loss because of false, misleading and negligent assurances about Mr Hawkes's integrity given by the defendant after Mr Hawkes had referred

them to him for a reference.

Mr Hawkes had approached Mr Edwards offering to arrange an exchange of his Mercedes car, then worth £28,500, for a Turbo Bentley which could be sold at a profit. Mr Edwards had handed over the car, but began to worry about the arrangement when he was approached by a Mr Folley who had been offered the car by Mr Hawkes for £25,500 and was suspicious about it.

Mr Edwards had confronted Mr Hawkes, who at first denied having approached Mr Folley, then denied the price of £25,500 and finally said he would not sell to Mr Folley.

When Mr Edwards threatened to terminate their arrangement, Mr Hawkes had told him to approach Mr Lee, his solicitor, for a character reference.

Mr Lee had persuaded himself that because of legal professional privilege he could not lawfully tell Mr Edwards that Mr Hawkes was at that moment awaiting trial on charges where the facts were more or less identical to those currently worrying Mr Edwards.

He had told Mr Edwards that he knew of no reason why Mr Edwards would not recover his money. In the event, Mr Edwards did not recover his money.

In his Lordship's judgment Mr Lee could not fulfil his duty to Mr Edwards to take such reasonable care as the circumstances required unless he first sought his client's permission to say all that he knew of him, and all that he judged it necessary to tell Mr Edwards in

order to fulfil his duty to him.

If Mr Hawkes had withheld permission in whole or in part Mr Lee should then have considered whether he could properly tell Mr Edwards anything at all. His Lordship had no doubt that those matters crossed Mr Lee's mind.

Mr Lee's counsel had submitted that if the plaintiff had told Mr Lee when he asked for the reference that he had nearly cancelled his arrangement with Mr Hawkes because he had misgivings about Mr Hawkes, and that he had serious grounds for doubting Mr Hawkes's integrity, Mr Lee would not have said what he did.

In his Lordship's judgment, however, the reference-seeker was not obliged to reveal all the significant facts within his knowledge to the reference-giver if the reference-giver was to be kept to his duty to exercise reasonable care.

Those considerations were relevant at two quite different stages of the analysis. The first was when the court considered whether the reference-seeker who knew of those facts acted reasonably in relying on a reference given by someone who did not. The second was when the court was considering issues of contributory negligence for the reference-seeker's loss.

Contributory negligence was 50 per cent. The defendant was liable to the third plaintiff for £12,250.

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In dealing with this problem, candidates immediately face another. If they explain that they wish to move because of certain features of their present firm, such as in their liking, they run the risk of being seen to be negative and hypocritical. It can be even more difficult if the true reason for leaving is certain confidential developments they are not entitled to disclose. How do you explain your situation, for example, if within weeks of joining a firm you find the partners are being investigated by the Law Society? You can't publish this information on your C.V., and you can only hint at it at interviews.

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GOLF

Team spirit spurs Swedes

From MITCHELL PLATT'S
GOLF CORRESPONDENT
IN ROME

THE prediction that a Swedish golfer will win the Open Championship before the turn of the century would no longer appear improbable after their success in the World Cup here on Sunday.

Per-Ulrik Johansson and Anders Forsbrand had already linked with Mats Lanner to win the Dunhill Cup at St Andrews last month, and together they provided Sweden with further cause to celebrate by winning here on the Le Quercy course.

It is now more than ten years since Jan Blomqvist, an ice hockey coach, appeared on the professional golf scene with a team of young Swedish players. His task was to produce an Open champion, and four years ago Blomqvist insisted that he was on course to

fulfill his ambition before 2000.

Blomqvist had reason to feel optimistic even if the prediction made by Tony Jacklin in 1985, that Sweden would contribute a player to the 1987 Ryder Cup, failed to materialise. Ove Selberg won the Epsom grand prix in 1986, and Lanner took that title in 1987, when Forsbrand became the European Masters champion.

This season, Johansson, aged 34, made a big impact with his success in the Belgian Open. He has subsequently been selected by Bernard Gallacher, the Ryder Cup captain, for the British Airways "High Flyer of the Year" award, and he has also won the Sir Henry Cotton "Rookie of the Year" award.

Johansson's success stems from the foundations laid by the likes of Forsbrand, Lanner



Johansson: made impact

and Selberg. Initially, Blomqvist demanded that members of his elite pack observed a strict doctrine that included a vigorous fitness programme and excluded alcohol.

Inevitably some aspirants fell by the wayside, but Blomqvist, as the taskmaster, remained convinced that it was his duty to build for the

future and not on a short-term basis. The progress made since those formative years of Blomqvist's programme, which had the financial support of the Swedish Golf Federation, now owes as much to individual flair as it does to the co-operative system that he introduced. Yet the Swedes retain that essential trust in each other which clearly manifests itself in team events.

"We all get on so well together," Johansson said. "In Rome, as at the Dunhill Cup, each shot was a team shot. We look to each other for confidence, we enjoy each other's company, and we encourage each other."

The Open Championship? "It will happen," Blomqvist said. "I have no doubt of that, or that the Swedish players will be involved in all future Ryder Cup matches."

NETBALL

England hope to do better

ENGLAND will be aiming for a greatly improved performance against the touring West Indies side at the Gatehead Leisure Centre tomorrow night after Saturday's defeat by 61-41 at Wembley, which capped an unfortunate weekend (Louis Taylor writes).

On Friday night the new headquarters of the All England Netball Association (AENA) at Hitchin were burgled and the Wembley Arena attendance of 3,000 was 2,000 fewer than would normally be expected for such an attractive fixture — for which the Rugby World Cup final was largely to blame.

A capacity attendance is likely at Gatehead for the second instalment of this three-match series which ends at Sheffield on Saturday. To go there on level terms, England will need to tighten up considerably and not persistently make a gift of possession to their opponents.

RACING

Brooks issues Mackeson warning over fancied Espy

CHARLIE Brooks has warned that his ante-post favourite Espy could miss the Mackeson Gold Cup at Cheltenham on Saturday.

The recent Newbury winner has been installed 6-1 favourite by Coral and Ladbrokes, but Brooks yesterday warned: "He's far from a definite runner. I'm not at all keen on the race because he prefers a flatter track."

"I want to wait until I know more about the likely opposition. I wouldn't advise anybody to back him until the day of the race."

Twenty-one of the 51 entries stood their ground at yesterday's five-day stage.

The top-weights Barnbrook Again and Katabatic were taken out, leaving the 1988 winner Peggival Bay at the head of the handicap.

"That's a pity," said his trainer Tim Forster when told the news. "I'd hoped Katabatic would be kept in. Still, Peggival Bay is very well and, all things being equal, he will run."

Forster also has Major Match

in the race although his participation is uncertain. "He needs top of the ground and I'll wait until later in the week before deciding whether to run," added the trainer.

Of the five Gordon Richards entries, only Clever Folly and Pat's Jester remain.

Clever Folly, winner of the A F Budget Chase at Cheltenham two years ago, has already scored twice at the track this season but needs fast conditions.

"I will only have one runner," said Richards. "If the ground is on the firm side it will be Clever Folly and if there's any give it will be Pat's Jester."

FIVE-DAY ENTRIES: Another Coral, Age Master, Aston Express, Castaway King, Clever Folly, Cuddy Dale, Espy, Galtoun's Nephew, Highbury, Joe's Delight, Major Match, New Haven, No. 10 Galtoun, Pat's Jester, Peggival Bay, Sherrington, Southern Minister, Sword Beach, Tapping Ten, Tumbledown, Wagoner Bay.

BETTING: Ladbrokes 6-1 Espy, 6-1 Ash Master, 10-1 Peggival Bay, New Haven, 10-1 Another Coral, 10-1 Galtoun's Nephew, 10-1 Highbury, 10-1 Major Match, 10-1 Pat's Jester, 10-1 Peggival Bay, 10-1 Sword Beach, 10-1 Tapping Ten, 10-1 Tumbledown, 10-1 Wagoner Bay.

14-1 others Coral: 6-1 Espy, 6-1 Major Match, 10-1 Aston Express, 10-1 Another Coral, 10-1 Galtoun's Nephew, 10-1 Highbury, 10-1 Major Match, 10-1 Pat's Jester, 10-1 Peggival Bay, 10-1 Sword Beach, 10-1 Tapping Ten, 10-1 Tumbledown, 10-1 Wagoner Bay.

□ The Jockey Club intends to go ahead with its plan to increase riders' licence fees next year to £100 — from £40 for Flat and £39 for National Hunt — despite opposition from the Jockeys' Association.

Difference of a pound

THE difference of a pound means Sharp Order, winner of the West Midlands Claiming Chase at Wolverhampton yesterday, returned to Sue Wilton's Stable and rest stable instead of departing for pastures new.

Miss Wilton spotted an envelope containing a claim for the six-year-old in the weighing room after the race, and promptly scribbled out a bid of her own. Her entry of £3,521 bettered that of the un-named rival by a pound.

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IRFB should abandon absurd double standard

The mourners at the graveside of the international game in Wales, which was buried during the Rugby World Cup, need not look for the assassins. It was not Western Samoa that laid to rest the Welsh, but the International Rugby Football Board (IRFB).

The absurd double standard which the IRFB is attempting to operate between a high-profile commercialised international sport that has just coined almost £40 million and the players who make it possible — has driven the Welsh into the arms of the league game. The Welsh league side that thrashed Papua New Guinea would have reached at least the quarter-final of the World Cup if not for the last four.

The IRFB, comfortably travelling the world in the name of honorary administration, is inflicting more long-term harm on the game by the vain suppression of players' financial benefits than would those benefits if intelligently rationed.

What rugby union has a chance to do, by learning from the errors of professional football and "open" tennis and athletics, is to establish dignified control from the outset of television, of promoters, sponsors and agents, and of player-finance. They have the chance. Instead, they are running around in the old school tie, mouthing outdated sophistries, and being about as effective as a three-legged sheepdog.

Australia and New Zealand pay lip service to the anti-professional regulations and quietly ignore them.

We have seen it all before: Sir Joe Richards, coal-merchant president of the Football League and chairman of Barnsley, sending Danny Blanchflower and the chauffeur of his Rolls round to the kitchen back door, while meeting the directors of Aston Villa

in the dining-room of the Midland Hotel, Derby, to discuss Blanchflower's transfer. Sir Arthur Gold, chairman of the British Athletic Board, threatening Ainsley Bennett with suspension for wearing, in Dresden, a brand name T-shirt on the medal rostrum. The IRFB has the future of the game in its hands, and gives as much cause for confidence as Donald Trump.

There are two issues to be resolved before the World Cup of 1995: first the necessary reward of players, second the modification of the laws in two directions in order to hold a new and enthusiastic audience. The value of place-kicking must be proportionally reduced, and set scrums must be limited to free the play. Penalties, lineouts and scrums can occupy half the playing time.

Nothing can halt the tide moving towards "open" international rugby, fuelled by the World Cup. If the IRFB continues to attempt to prevent player reward, in the face of a Niagara of available funds, it will only promote cheating or defection. Players are not asking to be paid by the game, only freedom to accept a percentage of fringe spoils. Were that to be conceded, the administration and the game would still take 95 per cent of the gross.

Nobody but the IRFB, and some club rugby diehards over 50, seriously objects to this. I travelled to and from the final by train with thousands of average rugby supporters, from whose conversation it was evident that they expected the players to receive recompense. I heard not one voice of envy.

Were the IRFB to be successful in their myopic anti-professional policy — instead of controlling the game to everybody's advantage — successful teams would automatically disintegrate... if they were not cheating. The expectation, however, is that the IRFB will



The Times today begins a series on rugby union after the World Cup.

David Miller, chief sports correspondent, argues for rewards for the players and change in presentation

duck the issue again, and postpone further consideration until 1992. Or later, hoping that troublesome dressing-room lawyers will retire.

The administration's position will become legally untenable when player contracts are established. The RFU voted 3-1 for a player contract, but then stalled on the decision. Instead, Dudley Wood, the secretary, sent a "player's agreement", which the players were supposed to sign, though few did.

The irony of Wood's accompanying letter was that he attempted to justify financial restrictions on the grounds that these were "similar to conditions in other professional sports" (my italics).

Wood's position is a contradiction, because he privately and publicly expresses opinions at variance with his own committee. The England players have consulted a prominent QC familiar with the sporting scene — Olympic trust funds and subventions — and he is of the opinion that once player contracts are established, the element of restraint of trade will favour the players. The World Cup just finished

has transparently demonstrated that the impetus is wholly player-oriented: interviews, personal appearances, sponsored functions. The greater the momentum becomes, the greater the players' sense of injustice.

The IRFB should recognise that it is fortunate to have a body of international players still predominantly motivated by goodwill towards the game rather than by selfishness. Official obduracy will forfeit that goodwill, and will also cause division within teams, when two or three players corner the available "legitimate" market. If the IRFB does not act sensibly, the game will rapidly become commercially dirty: the IRFB will rightly earn some of the ridicule reserved over the past 40 years for the Football League and for FIFA.

The IRFB as yet has seen nothing of the forces that commercialism will load upon the game. On Saturday night, they basked in the reflected glory of a marvellous match at their World Cup dinner for 1,200. At present, television is merely glad to be there. Just wait till the TV moguls start trying to call the game. Celebrated former internationals, such as Tony O'Reilly, recognise the imperative of intelligent change at the top.

Rather than try to live on in a world that no longer exists, the IRFB should seek the sharpest, most professional administrative brains available — not necessarily from within rugby — to mastermind a development that will either make the game or swamp it. Treating the players as no more than accessories is profoundly stupid.

TOMORROW
Rob Andrew with a player's plans for the future



In full flight: Jonathan Davies, in his prime as Wales stand-off half, now plays rugby league

AMERICAN FOOTBALL

Redskins retain unbeaten record

By ROBERT KIRLEY

THE Washington Redskins earned a home win in overtime on Sunday to remain the only unbeaten National Football League team after nine games. After Ian Howfield, of the Houston Oilers, missed a 33-yard field goal with one second to play in regulation, Chip Lohmiller booted a 41-yarder four minutes later to secure a 16-13 victory.

Darrell Green intercepted a pass by Warren Moon to set up the decisive kick. Lohmiller nailed kicks of 21 and 18 yards in regulation, and Ernest Byner added a touchdown on a 23-yard dash. The Oilers forced overtime when Lorenzo White scored on a one-yard plunge in the last two minutes to make it 13-13. Howfield had his field goals from 25 and 44 yards.

Billy Joe Tolliver completed a 44-yard pass to Michael Haynes with one second left as the Atlanta Falcons beat the San Francisco 49ers 17-14, marking the second win of the year over their divisional rivals. Mike Cofer, of San Francisco, booted four field goals atempting.

The Cincinnati Bengals overcame an 11-point deficit and Eric Thomas blocked a field goal on the last play to give them their first win of the season, 23-21 over the Cleveland Browns. Thurman Thomas gained 126 yards and scored a 15-yard touchdown to offset four turnovers and hand the Buffalo Bills a 22-17 win over the New England Patriots. Dan Marino, of the Miami Dolphins, threw a 15-yard touchdown pass to Mark Duper in a 10-6 win over the Indianapolis Colts. The Colts failed to score a touchdown for the fifth consecutive game.

RESULTS: Buffalo Bills 22, New England Patriots 17; Chicago Bears 20, Detroit Lions 16; Cincinnati Bengals 23, Cleveland Browns 21; Minnesota Vikings 28, Tampa Bay Buccaneers 16; New York Jets 20, San Francisco 49ers 17; Houston Oilers 13 (OT), Atlanta Falcons 17; San Francisco 49ers 14, Dallas Cowboys 12; Phoenix Cardinals 7, Miami Dolphins 10; Indianapolis Colts 6, New Orleans Saints 24; Los Angeles Rams 17, Denver Broncos 20; Pittsburgh Steelers 13.

AMERICAN CONFERENCE				
	W	L	T	P
Buffalo Bills	9	0	0	187
New York Jets	8	0	0	187
Los Angeles Rams	4	0	0	187
New England Patriots	9	0	0	187
Indianapolis Colts	0	0	0	61
NATIONAL CONFERENCE				
	W	L	T	P
Houston Oilers	9	0	0	244
Cleveland Browns	4	5	0	187
Pittsburgh Steelers	4	5	0	187
Cincinnati Bengals	1	8	0	187
WESTERN CONFERENCE				
	W	L	T	P
Denver Broncos	6	3	0	178
Kansas City Chiefs	6	3	0	178
Los Angeles Rams	5	4	0	178
San Diego Chargers	1	8	0	154
NATIONAL CONFERENCE				
	W	L	T	P
Washington Redskins	9	0	0	282
Dallas Cowboys	6	3	0	178
New York Giants	4	4	0	131
Phoenix Cardinals	4	4	0	131
Philadelphia Eagles	3	5	0	103

CENTRAL DIVISION				
	W	L	T	P
Chicago Bears	6	3	0	147
San Francisco 49ers	6	3	0	178
Minnesota Vikings	6	3	0	178
Green Bay Packers	2	7	0	92
WESTERN DIVISION				
	W	L	T	P
New Orleans Saints	6	1	0	198
Atlanta Falcons	6	3	0	178
San Francisco 49ers	4	5	0	201
Los Angeles Rams	3	5	0	151

FOOTBALL: Week 11. Sunday: Washington Redskins beat Buffalo Bills (16-13); Dallas Cowboys beat New York Giants (17-14); LA Raiders at Denver; NY Giants at Phoenix; Philadelphia at Cleveland; Pittsburgh at Cincinnati; San Francisco at New Orleans; Seattle at San Diego; New England at Miami; Monday: Chicago at Minnesota.

RUGBY UNION

Best is appointed as England coach until end of the season

By DAVID HANDS
RUGBY CORRESPONDENT

DICK Best, coach to Harlequins, London and, for the past two years, England B, will assume that post for the senior national side during the five nations' championship next year. His appointment in succession to Roger Utley was confirmed by the Rugby Football Union (RFU) yesterday, along with a well-deserved tribute to Utley.

As part of a general overhaul because of Utley's retirement, the RFU has promoted Jack Rowell to join Mike Stemen in coaching England B, who have four domestic fixtures and a tour to New Zealand next year. Rowell, the most successful club coach (with Gosforth and Bath) in England, has been helping the England Students for the past year and that vacancy must be swiftly filled since the students themselves have a World Cup next summer, in Italy.

It is significant that the appointment of Best, aged 37, is only for the remainder of the season. Decisions must be made about the entire England management team since Geoff Cooke's term of office concludes at the end of April. Cooke's

views about the viability of an honorary team manager when the international game demands so much time, both of players and coaches, are well known and he, too, must decide whether he wishes to put his name forward for another term leading up to the 1995 World Cup.

Cooke admitted yesterday that he was interested in continuing as team manager, but added: "There is the question of whether they will want me, and whether my employers can afford the time to release me again. I would not want the job unless I could go right through to the 1995 World Cup — and that would be the finish."

The 1991 tournament has brought a fitting conclusion to Utley's career. He can look back with pride over the past 20 years during which, as a player, he was involved in the 1980 grand slam side and, as a coach, he helped the 1989 British Lions to a series win in Australia, England to the 1991 grand slam and a place in the World Cup final.

Above all, he brought credibility to the England management structure at a time when the fortunes of the national side were wavering. The RFU, not given to frequent peacocks about its own officials, said in a statement yesterday: "The RFU wishes to record its appreciation of the outstanding contribution that Roger Utley has made to English rugby and in particular to the England XV over the last four years. His contribution has done much to ensure that the national side remains one of the best in the world."

How many members of his England team which lost the World Cup final 12-6 to Australia will join him in retirement remains to be seen, but Best must be hoping the change in personnel is not too dramatic. "We will have to let them all get back to normality for a week or so before we see how the future is going to develop," he said.

Best, who played in every position in the scrum except hooker during his playing career with Harlequins, initially earned a reputation with the Harlequins side, whose attractive rugby won the 1988 cup final. The success of the London divisional side was built on the same policy, though the B teams of the last two years have brought mixed results: four wins, two draws and three defeats.

"I hope that we can integrate new players gradually," he said. "Rugby is on a bit of a high now, especially in England, with the national team finishing in such tremendous style. They played a 15-man game and that's my philosophy but it takes a long time to perfect."

"They have been the most successful playing and management teams in English history and I'm optimistic that the other 11 players in the squad would be able to do a job when brought in and perhaps last year's B internationals hardened some players."

It was difficult to divide the Australian front row, but Steve McDowell remains a wonderful loose-head prop, and I found it impossible to divorce Paul Ackford from Wade Dooley. That means the omission of both the Australian locks, Eales and McCall, who played so well, as did Norm Hadley, for Canada, and Kevin Swords, for the United States.

Balance in the back row is everything, and here there were riches indeed. Mike Teague, who in many respects was the player of the tournament, has been invited to revert to the flank, which costs both Simon Poidevin and Willie O'Brien a place. Neither will mind. Possession of the Webb Ellis Cup is worth far more than a place in some mythical XV.

Kick: Farn-Jones will captain the XV, read the play, handle the post-match press conference and still have time to care for his wife and baby daughter. There are few outstanding leaders in rugby at the present time. He is one of them.

There was anything better than Ireland against Australia which, it seems to me, had all that is best about sport in it, even recovering from some unseemly spleen in its opening moments.

Those of us who were in Lille that day raised a cheer for Gordon Hamilton's try for Ireland and the Stadium Nord in Lille, for me, remains the best venue.

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BASKETBALL

Kingston release Brooks to cut bill

By NICHOLAS HARLING

CHRIS Brooks, the first Kingston player to be on this season, is likely to be followed by at least one more team-mate, as the Carlsberg League leaders attempt to reduce their wage bill. Kingston's financial plight is so serious that they may do well to survive the season. They had budgeted for another successful campaign in Europe but a second-round knockout by Mechelen, the Belgian club, followed by a £3,000 fine from the international body, Fiba, for refusing to enter the lesser European Cup Winners' Cup competition has led to a swift reappraisal of the situation.

If the team, weakened by Alan Cunningham's fractured ankle, was not quite good enough for Europe, it is still too powerful for domestic competition. Saturday's 135-90 win over the newly promoted Cheshire Jets all too readily confirmed.

Brooks, the 6ft 7in English forward, aged 24, who was released before the game, was the first to suffer, a victim not only of the club's financial state but his own lack of fitness since his arrival in the summer.

"There was a variety of reasons behind it," Kevin Cadie, the Kingston coach, said. "The guy has talent but he has been almost ever since he got here. He has been 35 to 40lb overweight and he did try to lose that but people never saw him display his true ability."

The seventh highest field goal percentage shooter in United States basketball last season, when he was at West Virginia University, Brooks will probably go home to New York to decide his future. If Kingston's search for a new sponsor does not succeed by next week, it is not inconceivable that another player, even Russ Saunders, may also find himself looking for a new club. Saunders contributed 32 points, the second highest individual score of the weekend, to Kingston's seventh successive Carlsberg League victory of the season, over Cheshire, who were deprived of Dave Gardner by his police commitments.

Two of Kingston's England internationals, Colin Irish (29 points) and Martin Henlan (28), provided useful support and they will need to do as much next Saturday at Derby. Kingston's hosts, in the top-of-the-table fixture, Derby maintained their challenge with a 97-88 victory at Manchester. Giants, who were indebted to Brandt Johnson, 33 points, for keeping the scoreline respectable.

Also in a challenging position are London Towers, who came from 12 points down to defeat Worthing Bears, 109-102, in overtime on the south coast. Gary Gray, their 10th American, finished with a weekend aggregate of 49 points after sinking 19 in Sunday's more comfortable 93-77 success against Sunderland, who are still the only club without a win. In the other game, Gene Waldron's 32 points helped Leicester overcome Birmingham, 109-91.

SQUASH RACKETS

Dubai World Cup postponed again

By COLIN MCQUILLAN

THE Aga Khan World Cup, promised for more than a year, as the richest tournament in the history of professional squash, has been postponed for a second time by the organisers in Dubai.

Originally planned for last February, the \$125,000 event was put off until December because of the Gulf War. Now a decision to move the Arab youth football championship from Cairo to Dubai through the first three weeks of December has clashed with the changed squash dates.

"The two events would have been held at the same venue," a spokesman for the International Squash Players Association (ISPA) said yesterday. "With some 25,000 people expected for the soccer and an anticipated record crowd of 5,000 for the

squash, it was decided to opt for another postponement. The decision relieved a crowded international calendar and will be welcomed by leading players feeling the effects of a heavy programme.

The World No. 1, Jansher Khan, was testing a strained back in his first appearance for Leekes Wizards in the PimmsPremier League last night. His second-ranked Pakistani compatriot, Jahangir Khan, broke down with Achilles problems in Canada last month and Rodney Martin, of Australia, the world champion, is on crutches after a foot tendon strain that will keep him out of this week's Kierulff Open.

The Aga event is rescheduled for February and the prize fund has been raised to \$130,000.

BADMINTON

Draw thrills Baddeley

STEVE Baddeley, the European champion, who has a record number of England caps, will be attempting to plot the downfall of many of his former colleagues later this season (Richard Eaton writes).

Scotland, whom he now coaches, are in the same section as England in the Thomas Cup world team championship

preliminary rounds at 's Hertogenbosch in The Netherlands in February.

The draw has the two British teams lining up with Finland and a qualifier.

Scotland's women are in the same group as Denmark in the Uber Cup, where England are likely to meet second-seeded Sweden in the last four.

FOOTBALL

730 unless stated

Barclays League

Second division

Barnsley v Middlesbrough (7.45)

Bristol City v Plymouth (7.45)

Doncaster v Sunderland (7.45)

Portsmouth v Leicester (7.45)

Southend v Blackpool (7.45)

Tranmere v Millwall

Wolves v Shrewsbury

Third division

Bury v Stoke

Harrogate v West Brom (8.00)

Full v Shrewsbury (7.45)

Preston v Wigan

Reading v Darlington (7.45)

Stockport v Bolton (all goals)

Swansea v Leyton Orient

Fourth division

Aldershot v Blackpool

Barnet v Carlisle (7.45)

Burnley v York

Crawley v Maidstone

Gillingham v Cardiff (7.45)

Northampton v Mansfield

Scarborough v Wrexham

Sharncliffe v Rochdale

Walsall v Lincoln (7.45)

HVS LEAGUE

First division

Fulham v Whiteley Bay

Grays v Havant

Leamington v Bognor Regis

Marlow v Maidenhead

Reading v Wokingham

Slough v Windsor

Wokingham v Wokingham

Second division

Chesham v Maidenhead

Chesham v Maidenhead

Chesham v Maidenhead

Chesham v Maidenhead

Chesham v Maidenhead

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David Hands

New arena serves up a varied programme

By ANDREW LONGMORE, TENNIS CORRESPONDENT

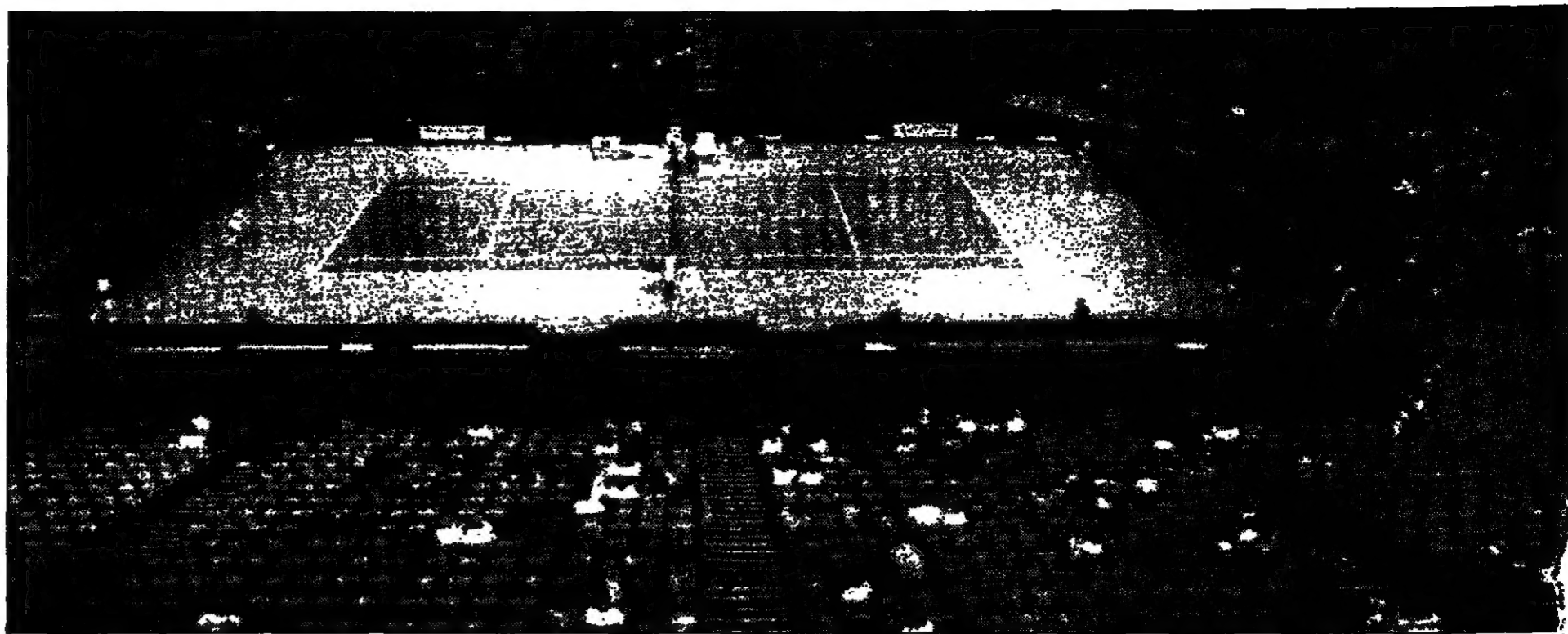
LAST week *Aida*, this week John McEnroe. Nobody could complain that the programme at the National Indoor Arena in the heart of Birmingham lacks variety. Yesterday, the arena became this country's newest tennis venue, staging the opening matches in this year's \$500,000 Diet Pepsi Challenge and bringing international men's tennis to the city for the first time in over a decade.

The arena cost £51 million to build, with finance coming from both the private and public sectors. The Sports Council gave a grant of £3 million, the single biggest capital outlay in the council's history. In return, the arena guarantees to allocate 100 days a year to sport.

So far, 40 per cent of the 6,500 tickets available for each of the seven days of tennis have been taken up, but Jim

Johnston, director of the NIA, feels that sales will rise as the tournament generates more publicity. "It is a long time since we have had a major tennis event in Birmingham. As the daily matches are advertised, I'm sure we will get a heavy walk-in element," he said.

Jimmy Connors and John McEnroe were the two main attractions, but Connors, the US Open semi-finalist at the age of 39, had to pull out last week with a neck injury. That left the field open to McEnroe, a mere 32, and Michael Chang, the former French Open champion, who also won the Silk Cut Challenge, the forerunner of the present event. McEnroe, three times Wimbledon champion, begins his challenge against the German, Alex Mronz, tomorrow. The organisers will hope that, like *Aida*, he has a long run.



Establishing a new home: tennis moves into the national indoor arena in Birmingham and seeks a bigger audience with the Diet Pepsi Challenge

Graham Taylor banks on newcomers for game in Poland

Old guard are rejected as England gamble

By STUART JONES, FOOTBALL CORRESPONDENT

GRAHAM Taylor has chosen to take a daring gamble on his own reputation and on England's destiny in the European championship. In discarding four members of his old guard, he has left his midfield, the crucial area during next Wednesday's decisive qualifying tie in Poland, in the hands of a new generation.

To go through to the finals in Sweden next summer, England need a point to be sure of finishing at the top of group seven. Should they succeed in their mission in Poznan, Taylor will be considered boldly adventurous. Should they fail, his timing will be regarded, not for the first time, as foolhardy.

His intentions, provoked by the shambolic performance against Turkey at Wembley last month, were clear yesterday once his squad had been revealed. Bryan Robson, Chris Waddle, Trevor Steven and Steve McMahon, the owners of 190 caps between them, had all given way to

younger but unproven talent. Neither Andy Gray nor Paul Stewart, a converted centre forward, have started an international. Apart from last summer's tour of the South Pacific, David Batty and Geoff Thomas have each been selected for three. Only David Platt is established and he is enduring a wretched season in Italy.

The inclusion of Gray, of Crystal Palace, was as surprising as the glowing tribute paid by Taylor. "He is in the category behind Paul Gascoigne," he said. "He's unpredictable and excitable, sometimes in the wrong way but he is improving on that."

The balance and the shape wasn't right," he said. "It was a bad performance and we've been disappointing in terms of creativity in the middle of the park. I'm looking to get more from that department."

David Rocastle and Neil Webb, as was recently illustrated during the League fixture between their clubs at Old Trafford, are capable of instant thought and precise execution. They have also represented both their clubs

and their country in intimidating arenas, an experience unknown to Batty, Thomas, Gray and Stewart.

Webb, bemusingly in the circumstances, has been overlooked and Rocastle is merely one of four on stand-by. Although he has been outstanding for Arsenal, Taylor has yet to be convinced that he can fill a central role for England.

Nevertheless, as he confirmed yesterday, he was prepared last month to offer Waddle the freedom of Wembley without being certain of the response. Waddle did not respond as wished and cannot, therefore, argue with his omission.

"He [Waddle] was adamant that he was only any use to England if he played in the same way as he does at Middlesbrough," Taylor said. "So I told him to go out and do that. You saw the product. I have to be responsible for results but not for performance. That is not the manager's fault."

Having summoned eight forwards, he says that he will design a team to win but his plans may have to be revised. Batty, who has been receiving treatment for an infected foot, was released from hospital yesterday but his availability is still in doubt as is that of Platt, one of 11 members of the party competing in European ties in midweek.

The captain, Gary Lineker, and his two Tottenham Hotspur colleagues are not scheduled to return from Porto until some eight hours before the group is to assemble on Friday.

Captain Marvel retires, page 1

McColgan strides out on the road to riches

From DAVID POWELL, ATHLETICS CORRESPONDENT, IN NEW YORK

AN ALTOGETHER different Liz McColgan from the one who pleaded poverty after her 10,000 metres world championship victory two months ago came before the New York City marathon media yesterday. McColgan's triumph in her first attempt at the distance here on Sunday has set her on the road to comfortable retirement when her athletics career is over.

The hard-edged Scot can expect to make \$500,000 a year for the rest of her competitive life, which still has a long way to run. Aged 27, she is the youngest New York women's champion for ten years and, health and commitment willing, the money should come rolling in until the century is out.

Her victory, in 2hr 27min 23sec, the fastest woman's debut in any marathon, earned McColgan \$45,000, a Mercedes car worth \$30,000, and much more in appearance money. Now she has a shoe contract and an arrangement with the John Hancock company, sponsor of the New York, Boston and Los Angeles marathons.

"John Hancock gives her financial security," Kim McDonald, McColgan's agent, said. McColgan will be obliged to run an unspecified number of Hancock races but, according to McDonald, "if she cannot run because she is injured she would still receive money."

The arrangement, which has the potential to make her Britain's highest-paid athlete, diminishes the chances of the London marathon buying McColgan's services in the foreseeable future. Next year is out because she will be preparing to run the 10,000 metres at the Olympic Games. Her next marathon is probably another year away. "The probability is that she will run New York again next year," McDonald said.

The following year is most likely out for London, too. "Boston have already spoken to me about 1993," McDonald said. For that, Boston would expect to part with \$150,000, because McColgan has become big business.

Her earning potential is far greater now than before the race," McDonald said. Certainly no women, and probably only Gelindo Bordin, the Olympic champion, and Douglas Wakihara, the Commonwealth champion, among the men, are hotter property.

While all this may be good for McColgan's peace of mind — "we have had some hard times," she said — it may not be in her best interests when it comes to running quickly. She reiterated yesterday her desire to be the first woman under 2hr 20min, but neither New York nor Boston are fast.

McColgan made a hit of her show just off Broadway. She had the United States media in raptures over her performance. They like an athlete who talks a good race and then runs one. "Brash McColgan wins with bold debut," the *New York Times* headline said.

And they applauded the sense of humour which rarely surfaces in public. Had her 11-month-old daughter been watching the race on television? "She is more interested in the remote control and changing the channel than watching me," she said.

As McColgan flew home last night she was planning a break. She will return to Florida in January, to train for the Olympics. But before the Games her options include an attack on the indoor 5,000 metres world best or a run in the world cross-country championships next March.

courses. The best are Berlin, London and Rotterdam.

Peter Maher, the Canadian who was eighth in London and fourth here, offered a comparison. "London is two minutes faster than New York," he said. Steve Jones and Mike Gratton, two former winners of London, and competitors here, said they believed Berlin to be quickest.

"The important thing for me is that when she finishes running she has enough money for the rest of her life, and that she also maximises the time she has in marathon running," McDonald added. That would mean her being sparing in the number of races she runs.

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Whitaker warned over his conduct

MICHAEL Whitaker, one of Britain's leading show jumpers, has received an official warning for his behaviour in an Amsterdam hotel. Whitaker has been given a yellow card under the sport's disciplinary system and will be on trial for the next 12 months, having been given the warning from the World Cup show's jury of appeal.

Whitaker, aged 31, and his elder brother, John, were reported to the show officials by the manager of their hotel after incidents in the bar in the early hours of Sunday morning.

Police were called and the Whitakers left the hotel to spend the rest of the night in their horse boxes. The jury of appeal, which was chaired by Raymond Brooks-Ward, absolved John but decided that Michael had contravened the rule regarding "incorrect behaviour towards event officials or any third party connected with the event."

Michael Whitaker apologised for "any trouble which had embarrassed the organising committee". The International Equestrian Federation introduced the warning-card system last year as it means that if Whitaker two more warnings in the 12 months, he would be before the judiciary to meet and face a penalty.

The British Showjumping Association (BSJA) will take further action. It satisfied that the warning given by the jury of appeal will suffice.

A BSJA international committee official said: "Michael's conduct has been exemplary up to now and he has apologised for his behaviour. This was a one-off incident, but Michael will have to be careful and obviously the association would take a dim view of any repeat."

The Whitaker brothers, who both did poorly in the Amsterdam show with neither progressing beyond yesterday's World Cup qualifier first round, are expected to ride in another Dutch show in Maastricht, starting on Thursday.

Eric Navet, of France, won the event as British riders failed to make an impression. Navet, on Quir de Bauss with whom he won the two title, won a second jump-off.

Arazi may need operation

From RICHARD EVANS, RACING CORRESPONDENT, IN KEENELAND, KENTUCKY

ARAZI, the French-trained champion two-year-old, may need an operation to one of his legs, his owner disclosed yesterday.

Allen Paulson said that his star juvenile would undergo detailed medical tests in the next few days before a decision was made on whether to remove an arthritic spur from a knee in one of his front legs. Arazi, who stunned the

racing world with his sensational Breeders' Cup victory at Churchill Downs on Saturday, will stay at Paulson's Brookside Farm in Kentucky for three to four weeks instead of flying back to France.

Paulson said: "He has had an arthritic spur from day one. There was no heat in his knee after the race but we want to give him a complete physical."

Meanwhile, Anthony Stroud, racing manager to Sheikh Mohammed, disclosed that Arazi may attempt the Kentucky Derby-Epsom Derby double.

The Sheikh bought half of Arazi from Paulson earlier this month for an estimated \$9 million. Paulson indicated on Monday that he would prefer to go for the American triple crown.

Bacher confident of Calcutta victory

From RAY KENNEDY, IN JOHANNESBURG

A CAPACITY crowd of 90,000 is expected to watch South Africa play their first official cricket international in 21 years, in Calcutta on Sunday.

The opening one-day international will be followed by a day-night game in Delhi on November 12, and a one-day match in Gwalior on November 14.

Dr Ali Bacher, managing director of the United Cricket Board of South Africa (UCBSA), said he was confident of victory on Sunday. "Our chaps are all charged up," he said. "There's a lot of adrenaline running."

Bacher and other UCBSA officials were working frantically at home yesterday, finalising details of the short tour. Most of the South African squad, led by Clive Rice, will assemble in Johannesburg tomorrow, and leave for India on Thursday evening. Some, who are involved in one-day matches in Pretoria and Port Elizabeth, have been told they can join the party on Thursday morning. They will have one practice together before they fly off.

Bacher praised Australian cricket authorities for their decision to allow India to reschedule their tour of Australia to accommodate the South African matches. The

Australian Cricket Board said the Indian team, originally due on November 10, would now arrive on November 16. "I can't express our gratitude strongly enough," Bacher said. "Northamptonshire, who hope to sign the England and former Leicestershire all-rounder, Chris Lewis, say negotiations with the player are continuing. "We hope a decision will be reached by the end of the week," John Birch, the team manager, said.

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Major obstacles to Berlin's bid for Olympics

From IAN MURRAY, IN BONN

JUAN Antonio Samaranch, the president of the International Olympic Committee (IOC), will be sent a large chunk of the Berlin Wall as part of the German capital's effort to win support for its bid to stage the Games in 2000. Eberhard Diepgen, the mayor of the city, made this concrete offer of goodwill during a visit to Lausanne last week, when the IOC president thanked him for the sumptuous reception the committee had received in Berlin during its three-day meeting there in September.

Diepgen desperately wants the Games, believing they will help to generate a good deal of the investment the city needs to overcome the effects of being divided by the Wall. He

splashed out DM one million to stage the three-day IOC meeting and he has set up a special company with a budget of DM 120 million (about £41 million) to market Berlin as the Games city.

Now Berliners fear that the money may have been wasted, for an article in the news magazine, *Die Spiegel*, this week claims that Samaranch has already made up his mind in favour of Sydney.

The report says this has nothing to do with Sydney's suitability to be host city but is to stop Australian members of the IOC releasing evidence which proves Atlanta successfully bribed the committee.

The Australians were upset because Melbourne did not get the 1996 Games and now, the magazine claims, they are prepared to tell all they know about corruption inside the



Samaranch: being wooed

IOC if Sydney is not picked for 2000. Greek IOC representatives, who were bitterly disappointed when the Athens bid failed, are said to be ready to back the Australian story.

Among the bribes alleged to have been offered are: gold credit cards for life for those

IOC members who inspected Atlanta's facilities; free heart surgery in a special Houston clinic for any member needing it; scholarships in American universities for the children of IOC members.

The Australian and Greek insiders are said to have a list of 18 IOC members who accepted bribes of up to \$120,000 as well as 26 officials who were given large numbers of gifts.

According to the magazine, 15 IOC members met in Jerusalem at the beginning of September last year, a few days before the choice for the 1996 Games was made, and there agreed for how much they would sell their votes.

Die Spiegel says that the price of Australian silence is that Sydney is granted the Games and that Samaranch has already agreed. Many

Berliners would be delighted if that is true. A recent poll showed that at least 40 per cent of the population think the city should spend what money it has on something more practical than sports stadiums. Estimates show the Olympic village, with 10,000 units, to be sited on a nature reserve, will cost as much as 100,000 much-needed flats.

Moreover, there are many like Boris Becker who fear that a Berlin Games risks arousing a dangerous revival of German nationalism.

The tennis champion, who was nominated to be a sponsor of the city's bid without his knowledge or consent, told the *Berlin Kurier* that other German sports personalities were wrong for jumping on the Berlin bandwagon. "Everyone's shouting Deutschland über alles but I am not one of

them. I see things more sceptically. This behaviour arouses dangerous emotions."

He, too, stressed that Berlin has other more pressing problems. "It doesn't matter there whether Berlin gets the Olympic Games or not — people need jobs and food."

South African sports administrators yesterday reached a decision on whether to send a team to next year's Olympics in Barcelona but then refused to disclose it. Everything points to the Republic returning to the Games after 32 years of isolation but Sam Ramaphosa, head of the National Olympic Committee of South Africa, said the decision would not be made public until Wednesday, in Johannesburg.
